

# The Nation.

NEW YORK, THURSDAY, JANUARY 20, 1881.

## The Week.

THE contest for the Republican nomination for the Senatorship at Albany ended, as was generally expected, on Thursday, by the triumph of Mr. Thomas C. Platt. The opposition of the "Anti-Machine" men collapsed rapidly as the moment for decision approached, and most of them voted for the most thoroughly Machine candidate there was in the field. A better illustration of the difficulties of "reform within the party" could hardly be afforded. We have commented on this aspect of the affair elsewhere. "The Machine" is, naturally, very jubilant. Its principal organ, the *Albany Express*, shouts with triumph over it. It says Mr. Platt is a "considerable part of the Machine himself, while his bold and courageous support of Mr. Conkling has made him prominent as chief among his lieutenants," and it closes with the cry, "The Machine is invincible!" It quotes with pride, from the *Syracuse Journal*, a report of an interview with an exultant friend of Mr. Platt's, who thus answers the question, "What gives him (Platt) so strong a hold politically?"

"He puts men under obligation to him, and commands their friendship and services. Why, he has secured places for not less than *seventy-five* persons in public offices. He has appointees in the New York Custom-house, in the New York Post-office, and in the New York City government. He has practically 'run' Cornell's administration; and the canal officials, from Superintendent Dutcher down to the boat inspector at Syracuse, are under obligations to him. He made Jones the agent and warden of Auburn prison, and he put another Tioga County man as clerk in the Assistant Superintendent of Public Works' office at Syracuse. And so it is all along the canals and in the Government offices. Platt men are plenty in all the State departments at Albany."

The same observer thus explained Platt's hold on Senator Conkling and Governor Cornell. He has it—

"because he is a good fellow, a serviceable agent, a good adviser, a capital executor, makes no pleas of scruples and asks no questions, but goes and does what he is told to do, or sets his agents to do it."

Nowhere is there the smallest mention of Platt's opinions on any subject now before, or likely to come before, Congress, or of his qualifications for dealing with them or helping to deal with them. We make bold to say that no one in this State or in any other, who has not the advantage of Platt's personal acquaintance, knows what he thinks on any public question—except that the Civil-Service Reformers are a bad lot, and that the Democrats cannot be safely trusted with the offices. He will well repay—just as you see him, "a slight-built, pleasant-faced man, who would not strike you as of more than average ability"—the careful study of everybody who takes thought about the future of American politics. He served two terms in Congress, but he was there so unobtrusive in his usefulness that there is no trace of it in the *Record*.

The House of Representatives devoted part of the week to the consideration of the Refunding Bill. It was agreed in the Committee of the Whole that 3 per cent. should be the rate of interest of the new bond, that it should run five years and possibly ten years, that the Treasury should use in the redemption of the 5 and 6 per cent. bonds falling due this year all the "buzzard dollars" in the Treasury, now worth less than 86 cents each, and all of the gold fund held for the redemption of legal-tender notes. If these measures had been agreed upon at a congress of lunatics they would cause no surprise; but that a congress of law-makers should propose to attach a rate of interest to a short bond when the advocates of 3 per cent. did not pretend that it would be practicable except in case of a thirty to fifty-year bond, and should, moreover, fix upon a rate which is compatible only with the highest credit, while dealing a thrust at the credit of the Government by provisions which would lead to a suspension of payments on the demand debt—may well cause astonishment in the minds of all who have even a dim idea of business or of honesty. It is not likely that any such act

of folly will be the final outcome of the consideration of refunding by Congress.

In Wall Street the events of the week disclosed the fact that a consolidation of the three main telegraph lines is contemplated. The plan in the rough is to merge all into the Western Union Company, and to raise the capital of the latter to \$80,000,000, or four to five times the actual cost of all the lines, and about \$20,000,000 more than their present nominal cost. The scheme originated with Jay Gould, and its main abettor is Wm. H. Vanderbilt. The last part of the scheme has not transpired, but it is understood to be to sell the whole to the Government for \$100,000,000 of 3 per cent. bonds. The opposition to the consolidation is great at all the commercial exchanges and among the other important customers of the telegraph companies, but it is calculated that this can be used later with great effect to induce the Government to make the telegraph business a part of the postal service. As an evidence of the prosperous business of last year, it appears that the number of mercantile failures was only about two-thirds of the preceding year's; the amount of liabilities shows nearly the same decrease, and this, too, notwithstanding the fact that the number in business last year exceeded any previous year. Such failures as occurred arose more from speculative excesses than from legitimate business ventures.

There is a good deal of alarm about the telegraphic consolidation, based on the theory that with each new increase of stock a telegraph company is obliged to increase its rates in order to pay dividends to its stockholders; but as a matter of fact the only changes that have occurred in the prices exacted for transmitting messages have been in the direction of a cheaper tariff. Of course, if the telegraphic companies could so arrange it as to increase their rates with every increase of stock they would undoubtedly do so; but in this case, as in that of railroads, it is perfectly well understood that cheapness of cost is one of the conditions of the growth and promotion of the business. There is no real relation between the stock of a telegraph company and its rates, as may easily be seen by any one who will take the trouble to compare the tariff of the Western Union Company when its stock was \$385,700 with its tariff now that the capital of the companies is to be consolidated at \$80,000,000. The use of the word "monopoly" in this connection is misleading; in the case of an article of prime necessity, like corn or bread, a monopoly may have the most disastrous effects, but in the case of a business like that of telegraphy, when the relation between rates and business is perfectly well understood, the peril to the public is small. The "small speculators" have our sympathy, but the remedy for them is a simple one.

The Senate has passed a couple of Appropriation Bills, but has consumed the valuable and rapidly-wasting time of the session chiefly over two worthless measures, one an attempt to revive the question of Kellogg's title to his seat, and the other a claim of Ben Holladay's for losses incurred in carrying the transcontinental mails during the war—losses which he estimates at more than half a million of dollars. No one who is familiar with Holladay's career can entertain any respect for his pretensions, but he has contrived to enlist on his side not only Mr. Conkling but Mr. Hoar. He has shown the persistency of Chorpenning in the face of repulse after repulse from successive Congresses, in which his claim was flatly denounced as fraudulent. Mr. Edmunds, with an industry and fidelity characteristic of his work in the Senate, made on Wednesday week what he would not himself probably call an exposure of the case, though he might admit that he "gave it a black eye." It is unquestionably one of those attacks on the Treasury which the lapse of time, the distance of the scene of the pretended loss, the death of witnesses, and the skill of lobbyists combine to sophisticate so that a body like Congress, even if every man were a pattern of virtue, would be quite incapable, amid other cares, of separating the true from the false. However, the opposition to it was insufficient to send it before the Court of Claims, and the claim was allowed, after being reduced to \$100,000. Mr. Saulsbury and Mr. Hill have been the principal promoters of the unsettlement of the question of the Louisiana Senatorship. They have

relied upon the recantation of a former witness for Kellogg, one W. J. Moore, of New Orleans, who now asserts that, while a member of the Legislature, he was bribed by Kellogg to vote for him for Senator. The soberer Democrats seemed to find nothing novel or important in this latest instance of Louisiana perjury, and the affair has served no other purpose than to obstruct business and to remind people of the extraordinary capacity for lying shown by the politicians, the workers, and the Returning Board of that State in their relation to the Visiting Statesmen, the Potter Committee, and the Senate Committee on Privileges and Elections.

The Congressional members of last year's Board of Visitors to West Point have submitted three reports, one by Messrs. Garland and Phillips, one by Mr. Edmunds, and one by Messrs. McKinley and Felton. All devote much attention to the Colored Cadet question. Messrs. Garland and Phillips think it a very troublesome one, and one "uncontrollable by law," and suggest that if the problem of coeducating the two races in the school cannot be solved by time and experience they had better be educated apart. They are in favor of exacting a good knowledge of reading, writing, and arithmetic, and of English grammar and descriptive geography for admission, but insist that the standard must be low in order to give all boys, "whatever may be their advantages in life," "an equal show for admission." "Many otherwise deserving boys," they remark, "might be denied admission because they had not the means of studying those things which would be required by an increase or elevation of the standard." But then this rule works against even the requirement of reading, writing, arithmetic, descriptive geography, and English grammar. The country swarms with "deserving boys" who have had no opportunity of studying these things. What Messrs. Garland and Phillips evidently desire is a primary military school where the Government will train for the army all deserving boys who apply for admission, exacting nothing by way of "fit" but a desire to learn. When established this will be the largest school in the world, and will turn out boys enough every year to form a bigger army than that of France.

The report of Messrs. McKinley and Felton contains nothing worthy of notice; but Senator Edmunds, who reports for himself, recommends that the standard of admission should be raised, and draws attention to the very large percentage of those admitted under the present standard who fail to graduate—forty-seven per cent. between 1838 and 1870, and thirty-three per cent. from 1870 to 1880. As regards the Colored Cadet question he condemns the treatment experienced by the colored cadets at the hands of their white comrades as "unjust, unreasonable, and inhuman." Coming down to the Whittaker case, however, his indignation evidently gets the better of his acumen. He says Whittaker was placed in a false position in the beginning, because, while the mere declaration of the white cadets was accepted by the officers as exculpating them from complicity in the outrage, Whittaker's declaration was not so accepted, and he affirms that this difference indicates a belief on the part of the authorities of the school "that there can be no presumption of the existence of truth in a colored cadet." With all respect for Senator Edmunds, we must say that this remark suggests that he belongs to that very large class of able and good men whose minds have been so affected by the war that they cannot reason straight on any question which, directly or indirectly, concerns the negro. Whittaker and the other white cadets did not, when "the outrage" became known, stand on an equal footing before the officers, for the obvious reason, which ought to jump into the eyes of any lawyer, that Whittaker was the only cadet who was present when it was committed. In other words, he was the only one who admitted that he had some knowledge of it. If the same proof had existed against any other cadet he would have stood in the same category with Whittaker. As it did not exist, Whittaker was the only cadet who could be properly made the subject of enquiry. If the injuries inflicted on him had been found to be such as, according to all experience of human nature, no man is likely to inflict on himself, suspicion of him would have been ridiculous, and would have occurred to no one. These injuries having been found to be slight and almost painless, experience of human nature, which is the basis of all criminal procedure, justified the suspicion that they had been committed by somebody for his benefit and

not for his detriment. As he acknowledged that he was present when they were committed and nobody else did, and as they might have been self-inflicted, the enquiry whether he did not commit them himself thus became under the existing laws of the human mind perfectly legitimate.

The text of the Chinese Treaties has been published. The first allows the Government of the United States to "regulate, limit, or suspend" the coming to or residence in the United States of Chinese laborers, whenever it "affects, or threatens to affect, the interests" of the United States, or "endanger their good order"—in other words, whenever the Government pleases; but it is not to prohibit absolutely such coming and residence. Exceptions are made in favor of teachers, students, merchants, and travellers from curiosity, their "body and household servants," and Chinese laborers who are now in the United States. The limitations and regulations are, of course, to be "reasonable," and if the Chinese Government does not like their working, it is to be at liberty to remonstrate, either in Washington or in Peking. There is also a Commercial Treaty which prohibits Chinamen from importing opium into the United States, and prohibits American citizens from importing opium into China, or carrying it from one Chinese port to another, or dealing in it in any Chinese port; and the prohibition covers vessels owned or chartered by American citizens, and deprives them in this field of the benefits of the favored-nation clause in any existing treaty. The other sections provide for equal tonnage dues, and for the trial of all suits arising in China between Chinese and Americans, whether of tort or contract, in the courts of the defendants' nationality.

The treaties are criticised on another page by a well-informed correspondent, but we think with unnecessary severity. They contain a good deal of "padding," but padding does little harm. The real object of the whole negotiation, as everybody knows, was to procure an abrogation of the clauses of the Burlingame Treaty which provided for unrestricted Chinese immigration, so as to enable our Government to satisfy the demands of the Pacific Coast on this subject. This it has accomplished. As to the opium clause, it is somewhat diverting to find the Chinese prohibited from bringing opium here, but it will hardly hurt them. As to Americans in China, they are shut out now from any share in supplying the Chinese with an article which constitutes a large proportion of the Chinese imports, and this without any corresponding concession from China; and all American ports are opened to Chinese ships, while only five Chinese ports are open to Americans. At the same time we have the fullest confidence that, as our correspondent suggests, if the opium trade be a good thing, Americans will get a good slice of it in spite of the treaty. Whether the Californians are satisfied remains to be seen.

The Comptroller of the State in his annual report has called attention to the extraordinary law passed by the last legislature for the taxation of corporations. The object of the law was to lay a tax upon the capital of all joint-stock or incorporated companies doing business in this State. For this purpose they are required to make a return to the Comptroller, at stated intervals, of the value of their stock, based upon its market value, or an assumed relation between the dividends paid and the actual value, under heavy penalties. The Comptroller now says that it is impossible to carry out the provisions of the law effectively because there are no means of ascertaining what companies are doing business in the State. He was left by the act to find out what companies were assessable under the act as best he could. The statute is copied from the system in force in Pennsylvania, but in that State agents were employed to canvass the State and make returns of corporations. Thus far the books of the department only contain the names of six hundred and forty-three corporations, probably not half the number actually doing business. The amount of the tax collected up to October of last year was only \$141,127 03, and a large proportion of this has been paid under protest, which, of course, means a long litigation over the provisions of the statute. The general scheme is a good one, but its details will certainly bear revision by the present Legislature.

We have long watched with much interest the various ways in which religious newspapers seek to extend their circulation at the be-



ginning of the New Year. For a good while they used to rely almost exclusively on the offer of "premiums," which, at the outset, were generally books, but afterward came to be all sorts of things that could be useful to a housekeeper, from pianos to teapots. Three years ago one of them, apparently in desperation, held out a nearly sure promise of eternal salvation for one full year's subscription, and asserted that a little boy who had saved enough money by walking instead of riding in the horse-cars to school, to procure the paper in question for his mother, would almost certainly go to heaven. This year another paper of a different denomination, the *Christian Intelligencer*, calls on its readers "to pray for us," and declares that it "solemnly believes" that no subject will come before the Christian world on the first week of the New Year "for intercession more vitally and stupendously important than the press." "Prayer," it says, "is here the massing of forces at the points alike of peril and of vantage," and it calls for prayer in particular for all "week-lies," "from the *American Messenger* to Philp's *Truth* or the vulgar and gaudy *Chic*." "But," above all, it demands "prayer for the religious press, that it (we) may never forget to be religious in motive, spirit, and influence," and closes by asking for prayer for the *Christian Intelligencer* in particular. We must say this is a very great improvement on any of the New Year's addresses which we have previously seen from this quarter. It is not sufficiently explicit, however, and suggests the question whether the publisher would care for the prayers of a person who did not subscribe, or whether he would accept subscriptions in lieu of prayer. The *Christian Advocate* evidently held that subscriptions were as good as prayer, and, in fact, even more efficacious.

The *Charleston News and Courier* has been expressing a good deal of dissatisfaction with the way in which a portion of the Northern press, and the *Nation* in particular, have treated the recent legislation in South Carolina against duelling, drinking, and carrying concealed weapons. It complains, and we confess with some justice, that some papers—the *Nation* among the number—appear to "mock at" South Carolinian efforts at reform in a way in which no one in South Carolina would mock at Northern reformers. "Whenever," it says, "we see them honestly striving to correct abuses we give them hearty support and sympathy." We are very sorry, for our own part, to have had any share in producing any such impression. Nothing is done in South Carolina or any other Southern State to promote order, tranquillity, and justice which has not our sincere sympathy and respect. In our remarks on the recent legislation we simply sought to point out, as picturesquely as we could, the inefficacy of such legislation against homicide if not supported by vigorous and healthy public opinion; and this, we must repeat, is, we fear, still wanting in South Carolina, but we promise never again to joke about it. The Cash-Shannon case, in which an elderly and respectable lawyer felt bound to fight a ruffian in vindication of his professional conduct and was killed by him, occurred only a few months ago, and it made a painful impression on the Northern mind. The murderer, Cash, is, we believe, at this moment at large. Until public opinion lifts from individuals the horrible pressure which made Shannon engage in a savage combat, legislation against duelling and carrying concealed weapons will be of little use. The *News and Courier* thinks we were inaccurate in comparing South Carolina to Albania and Corsica because "lawlessness is incidental at the South," while "in those countries it is the rule. Crime is punished in South Carolina; it is not punished there." But we were not talking of "crime" in general. We were talking of homicide resulting from private quarrels, and we repeat that this particular crime is not looked on with much more horror in South Carolina than in Albania and Corsica, and is not punished one-tenth part as frequently as in Corsica. Indeed, we venture to ask whether there is any case on record of a white man's having been punished adequately in South Carolina for having killed somebody who had offended him after an open quarrel. Corsica, the *News and Courier* apparently forgets, is a French department, in which the law is vigorously administered by courts and gendarmery; but, owing to the people's fondness for killing each other in family feuds, the criminal record is down to our day a horrible one and a source of shame to the French authorities.

A reporter of the *Charleston paper* has lately furnished it with

an extended review of the condition of the colored people of South Carolina, based upon the statements of members of the Legislature. It appears that while the acquisition of property has not been so great as among the same population in the adjoining State of Georgia, they enjoy a general prosperity, "one man out of every five in the country has a home," and there are numerous instances of comparative wealth. The ownership of a hundred acres and upwards is not uncommon; in Barnwell a colored blacksmith has earned since the war a farm of six hundred acres, for which he paid five dollars an acre, and a Democratic member of the State House of Representatives, who was but an ordinary farm laborer at the close of the war, is now the largest property-holder of his color in the county, having stores, a plantation, and a full credit. In Darlington the colored Baptists have built a church costing from six to eight thousand dollars. On four of the Sea Islands the negroes own more than ten thousand acres of land, valued at \$300,000; and one John Thorne "owns a farm of several hundred acres, a store, six cotton-gins, and is said to be worth \$20,000." More than half the attendance at the public schools of the State last year was colored, though the whites pay nineteen-twentieths of the taxes; and political opinions are freely expressed without insecurity or suffering. Governor Jarvis, of North Carolina, tells a similar tale in his inaugural. The blacks are becoming more industrious and thrifty, and for two years past have held industrial exhibitions in Raleigh which "were exceedingly creditable to them," and which the Governor attended, making short addresses. He reports the opening of a new colored insane asylum at Goldsboro. In neither State do we hear any more of the "exodus," but Governor Jarvis alludes with astonishment to the obstacles which his requisition for the arrest of Perry—the railroad emigrant runner—on a charge of forgery, encountered in the District of Columbia.

In the same address reference is made to anticipated petitions from a State temperance association, praying for the legal suppression of the sale of intoxicating liquors. A prohibitory convention was appointed to meet in Raleigh, on Wednesday week, and the signs of a very deep interest in the movement are everywhere manifest. There is no lack of laws already in North Carolina—against selling liquor on Sunday, or to minors, etc. But, the Governor says, they are openly disregarded, and, "in fact, there is but little regard paid to any law regulating its sale." This condition of public sentiment seems equally unfavorable to prohibition and to fresh attempts at stringent license. Still, Governor Jarvis makes suggestions looking rather to the latter course, which is the one adopted by the South Carolina Legislature at its recent session in the so-called "Anti-Whiskey Law." The policy of making the liquor-seller responsible in damages for domestic injury and loss caused by the sale was overlooked, in spite of the well-known relations between whiskey and homicide at the South.

The Stalwart newspapers which cling so tenaciously to the theory that the South was adding to its other wickednesses by making fraudulent census returns in order to increase its representation in Congress under the next apportionment, and thus prepare the way for the payment of the rebel debt, the pensioning of the rebel soldiers, the re-enslavement of the blacks, the repudiation of the United States debt, and a general rebellion by sea and land, with monster "corners" in pork and corn, are now entitled to the sincere sympathy of all humane men. To ease their minds General Walker sent down and made a second and more careful enumeration in South Carolina, which they said was the principal seat of the villany, and got the same reports. But they still groaned and protested, and said from what they knew of the Southern character the second enumeration must be wrong too. Here the President took pity on them and sent down Colonel Butterfield, one of their own school of politics from Vermont, with Northern assistants, all endorsed by Stalwart Republicans; and United States Marshal Wallace, who had detected the frauds, was allowed to designate the districts in which the test was to be applied. These enumerators have come back and have discovered nothing. In fact, they have found the June census to have been marvellously correct, and are forced to admit that if there was error anywhere it was in the carpet-bag census of 1870. This is most melancholy, but we may be sure that if the Southerners did not commit this particular wickedness it was because they were busy in preparing some other.

## THE PLATT INCIDENT.

THERE is a great difference of opinion among practical observers as to the real nature of the "victory" achieved at Albany in the election of Mr. Thomas C. Platt as United States Senator. There is even great difference of opinion as to the name of the victor. On the morning after the news came, the *Tribune*, which had been stirring up the Anti-Machine men to defeat Platt, Crowley, and Morton, announced that Platt would make an "industrious, capable, and efficient business Senator." It then explained that Platt's election was not "a defeat of the men whose independent action secured the nomination of General Garfield at Chicago"; that, on the contrary, he was their candidate, and was the man whom "General Arthur tried to defeat," but whom "Governor Cornell persisted in favoring," and that not only did he not owe his nomination to Mr. Conkling, "but he owed it, in part, to the active hostility of those Machine men to whom Mr. Conkling has of late given the largest share of his confidence," and more than all to "the confidence in his fairness and candor felt among a large portion of the Anti-Machine men." Turning to the *Times*, however, for a confirmation of this pleasing view, we found the election of Platt treated as a distinct triumph of the Conkling Machine, and that paper added, with painful emphasis, that "it was evident from the outset that none except a candidate actively identified with the Machine had the slightest chance of success," and gave a very unflattering account of the history and nature of Platt's political activity. To the *World* the event wore a much more cheerful aspect. It announced joyously that in Platt's election "General Garfield and Mr. Gould had turned a corner on Lord Roscoe," and that it was the "Depew forces"—or, in other words, the Anti-Machine men—who had nominated Platt; and though "it was not a thing for New-Yorkers to be proud of," it was "a sharp defeat and shock to the Conkling Machine." The unfortunate reader who, bewildered by these conflicting views, looked to the *Herald* for more light only found himself in a worse confusion than ever, for the Albany correspondent of that paper—an excellent observer—telegraphed that "Senator Conkling had, in Platt's nomination, won a complete victory"; that he had "not only beaten his personal foes, but enjoyed the pleasure of beholding most of them volunteer an abject self-humiliation." Unhappily this version was not confirmed in the editorial columns, for there we were told that the contest was a "free" one, and "that its result disposed of a great deal of idiotic chatter about Senator Conkling," who had "remained quietly at his post in Washington, taking no part in the canvass, and not uttering a whisper for or against any of the six or seven competitors." "So far from attempting to boss the election of his colleague, he had taken no part in it, had expressed no preference, but left it to the free choice of the Legislature." The *Sun* was as positive as any of the others, but declared that "Mr. Conkling had selected him (Platt), and the Legislature had obeyed Mr. Conkling's behest," and predicted that as the result of it we should have "a dual Conkling in the Senate"; a "two-bodied Conkling with one head, but capable of casting two votes." By way of darkening the picture, it then described Conkling as "the most dangerous man who has dwelt in this State since the time of Aaron Burr."

The attempt to make it appear that Mr. Conkling has been overthrown in the Platt election is, we greatly fear, to use the *Sun's* language again, "too silly to be tolerated." What suggested it to the *World*, it is hard to say. The *Tribune's* resort to it is, of course, to be ascribed to a natural desire to retreat decently, if not gracefully, from the position in which it placed itself and General Garfield by the announcement on the 3d inst. that the latter would see that those persons who opposed the Machine in the conflict then pending at Albany should not suffer by it; or, in other words, that he would take care of their political future. The total failure of this piece of encouragement to the Anti-Machine men was made manifest almost immediately in the collapse of the opposition to Sharpe for the Speakership. After this they were mainly occupied in making terms with the enemy, and the *Tribune* had to find some plausible explanation for their apparent indifference to the Garfield signals. To say that Platt was really their man, though disguised as Conkling's man, is perhaps too feeble a device to impose on anybody; but it must be said for it that it is as good as any that could have been invented to save the credit of the Anti-Machine men. That Platt's nomination was Conkling's greatest victory is, in fact, fully recognized

both in Albany and in Washington; and those who have doubted it, and maintained that a mysterious "split" has occurred between him and Governor Cornell, and that the latter has "set up for himself," and has announced his independence by having Platt nominated in spite of Conkling's wishes, will probably in a few days smile over the story as pleasantly as the rest of the world is now doing.

Whatever difference of opinion there may be as to the person who is entitled to the honor of the "victory" there is apparently none whatever as to the nature of Mr. Platt's qualifications for the senatorship. Some people say he has been nominated as "Cornell's man," and most people say he has been nominated as "Conkling's man"; but nobody, so far as our observation has gone, says that he is the kind of man a State like New York ought to send to the United States Senate. The only approach to commendation of him from this point of view which we have found anywhere is in the *Tribune*, which, by claiming him as the Anti-Machine man, was compelled to say something in his praise, and what it said was, "that in much of the newspaper discussion" of him "he had been the victim of an unreasonable prejudice."

In other words, it said that Mr. Platt had reached the mature age of forty-eight, during half of which he had been busy in politics, leaving the public all the while under an unfortunate misconception as to his real character. He was in Congress, however, from 1873 to 1877, and there had an opportunity to reveal himself to the world as a statesman, but declined to avail himself of it, and showed no sign of legislative capacity. This only endeared him more than ever to his chief, who tried to impose him on the unhappy Mr. Hayes as a Postmaster-General. Mr. Hayes having refused him, Mr. Platt avenged himself at the Rochester Convention of 1877, where Mr. Conkling appointed him to the chairmanship, by a speech which first made him conspicuously known outside the circle of "workers" who alone had hitherto witnessed his useful and laborious career. One passage in its vituperation of the Administration and civil-service reformers formed until now his sole title either to fame or notoriety. After the Cornell election last year, he was rewarded with the post of Quarantine Commissioner, to which he was held to be entirely equal, and which he accepted gracefully.

There being no pretence in any quarter that Mr. Platt is the kind of material out of which senators ought to be made—even the *Tribune* only maintains that he will turn out better than people expect—there is no need of our criticising the man himself any further. In fact, he has, under other names, been frequently discussed in these columns during the past fifteen years. What is of most interest to readers outside the State is the import of his nomination as a sign of the times. The friends of his chief, Mr. Conkling, are naturally enough exulting over it a good deal as a proof of the impotence and stupidity of the heterogeneous crowd of Scratchers, Independents, Anti-Machine men, and Civil-Service Reformers who opposed, or attempted to oppose, his nomination, and of their total inability to face the "Machine" in any real trial of strength. To this the answer is easy. No Independent of prominence or influence has, so far as we know, pretended that there was much, if any, chance in this State of beating the Machine within the party organization. "Reform within the party" never was an easy task, even if a feasible one, and it is now no easier than ever. The place where reformers can act with any effect is not in the caucuses and conventions so much as at the polls. Whatever they achieve must be achieved there. Having made up their minds, for reasons which seemed good to them, to support the Republican party last year, they must be prepared to see the Machine treat the victory as its own, and act accordingly. They must be prepared, too, to find the Anti-Machine men timid and vacillating, and slow to believe that the Machine can be opposed with impunity by those who, like all who enter political life at all, cherish hopes of political advancement. It is now twelve years since any man has in this State opposed it without suffering for it, if he cared for office; and the lesson is one which has naturally made a deep impression on the minds even of those whom the performances of the Machine disgust. General Garfield's blast of comfort to the weak-hearted through the *Tribune* would probably have had some effect if the sorry result of President Hayes's attempts to fight Mr. Conkling were not fresh in everybody's recollection. General Garfield may be a better fighting man than Mr. Hayes, but then people



believe more readily in cowardice than in courage; and there were probably few of the Anti-Machine men who committed the enormous self-stultification of voting for Platt who were not in part influenced by remembering that the present Administration had heartily supported Mr. Cornell for the Governorship of the State after pronouncing him unfit to be a Custom-house Surveyor, and Mr. Arthur for the Vice-Presidency, after pronouncing him unfit to be a Custom-house Collector. They probably foresaw the day in which, if they opposed Platt to the end, they might be sacrificed by the incoming Administration to the exigencies of an arrangement of some kind with Mr. Conkling, by which "harmony" would be restored to the party.

Of course this is the same thing as saying that the State Legislature has fallen into such degradation that its majority are simply tools in the hands of one man, and even in discharging a function so high as the election of a Senator simply register the orders sent to them from Washington by the Senator already in office. Indeed, this is about the truth of the matter. Mr. "Tom" Platt, whatever his defects, is entirely worthy of the body which chose him. They are the products of the same system. Machine politics—that is, politics shaped through patronage or the hope of patronage—inevitably produces the kind of legislators who send Platts to the Senate, and prepares Platts for them to send. The reason why New York furnishes more striking illustrations of Machine politics than other States is simply that the New York Machine is managed by the ablest man for this kind of work the country has yet produced. The effect of this last performance will depend a good deal on the course of General Garfield's Administration. Should it fall under the influences and ideas which controlled that of General Grant, and make prominent the same type of politicians who assisted and advised him, the Platt election will probably contribute powerfully in 1884 to the defeat at the polls which the party so narrowly escaped last year and in 1876. It will be one of the facts which will help to convince the wavering and independent that Republicans are incorrigible, and that "a change" is absolutely necessary; and if they should be of this mind in 1884 the change will then certainly come. If, on the other hand, General Garfield should take to heart the lesson of Mr. Hayes's Administration, and perceive that harmony which does not bring victory at the polls is of no more value to a party than the gain of the world to a man who has lost his own soul, the "Platt incident," as the French would call it, will sink into comparative insignificance. The country can stand the Platts if it sees that the Government is not controlled by them.

#### THE BRITISH MINISTRY AND THE IRISH PROBLEM.

THE Irish State Trials have virtually collapsed, owing to the ruling of the court that if the Crown adhered to one particular count of the indictment, it would be open to the defendants to produce as witnesses as many evicted tenants as they pleased, which would have protracted the proceedings indefinitely. The count was thereupon withdrawn; but as it contained probably the most plausible charge of all, that of spreading hatred and discontent among her Majesty's subjects, the withdrawal cannot but take all weight from the proceedings in the eyes of the jury. If the prosecution be not totally abandoned, it is quite certain the jury will disagree, and in either case the victory will remain with the traversers. It was apparently a mistake to begin the prosecution at all, but it was probably begun because the Government had not fully made up its mind what else to do, and was still uncertain as to the depth of the popular feeling which the Land-Leaguers had behind them. It was uncertain, too, as to the real condition of English opinion on the Irish question. There is a good deal of difficulty, to which our London correspondent alludes, just now in ascertaining what English opinion is on any subject, owing to the change in the character of the constituencies, and to the revelation afforded by the last election of the danger of trusting to London newspapers and gossip for indications of the drift of popular feeling. There is hardly a doubt that much of the moderation of the London press about the Irish difficulty is due to the absence of any excitement in the provinces and in Scotland. And to what is this quiet in the provinces and in Scotland due? There's the rub. There is at least a probability that it is due to a feeling that the Irish land question is but a

branch of the English land question, and that the manner in which the one is now settled will have an important bearing on the manner in which the other will eventually be settled. The answers of some of the influential provincial papers, and especially the *Edinburgh Scotsman*, to the appeals of the London *Times* about the horrors of the Irish situation, have been singularly cool and unsympathetic; indeed, one might almost say, from the standpoint of "the clubs," alarmingly so. There is, in fact, for the first time in the history of English politics, a certain sympathy with Irish discontent which Irish turbulence and crime are not sufficient to quench.

It seems likely, too, that, for similar reasons, when the Queen's speech was composed the Ministry did not intend to go as far in their land bill towards satisfying the tenants' demands as they are now prepared to go. Since then there has been not only a considerable expression of Liberal opinion in favor of what is called a "drastic" measure, but a distinct adhesion to the more extreme views of the Land-Leaguers among the Irish Conservative members. In fact, they are to a very large extent giving their support to the "three F's," a fact which has alarmed Sir Stafford Northcote so much that he had to send a sort of retraction to an Ulster Conservative meeting of his recent statement that the three F's meant "fraud, force, and folly." That Mr. Gladstone now means to propose the fixing of rents by arbitration, and the legalization of tenant-right—that is, "a fair rent and free sale"—seems certain. Whether he will propose fixity of tenure is still in doubt. It would, as the *Economist* ably argues, not only diminish the value of the landlords' property, but convert the whole landlord class into mere non-resident rent-chargers, whose drafts of money from the island to be spent abroad would probably excite, before long, an attack on the remainder of their interest. In fact, fixity of tenure to many sound English observers seems to be sufficiently near appropriation of the land by the state to entitle the landlords to compensation. And yet, if the landlord is left in real possession of the land with the right to evict on his own motion, he is armed with a power which it is difficult for any Government which is dependent on popular constituencies to uphold. It may be that the landowner who did nothing but draw rent from the land would soon become as obnoxious as the managing, evicting landlord is now, but it is with the managing, evicting landlord the Government has now to deal, and sufficient for the day is the evil thereof. He is very hard to provide for in the present state of the world, whether he is good or bad. If he is good, lives on his estate, and tries to discharge what are called "the duties of his station," he becomes what the tenantry consider a meddlesome tyrant, like Mr. Bence Jones, or even like Mr. Herbert, whose doings the last *Spectator* describes thus:

"The *Times* of Thursday publishes a letter from a correspondent whom it has sent to examine the large estates in Ireland, on the condition of Muckross, in Killarney. It affords whimsical evidence of the total inability of some men to understand the feeling of a class beneath them. Mr. A. Herbert, the owner of this beautiful estate, which covers fifty thousand acres, is, according to English ideas, an admirable landlord. He has built handsome farmhouses and good cottages, and in every way improved his property, but the tenants are not always 'grateful.' Mr. Herbert not only built nice houses and let them, but interfered in every detail of their management, compelling all manner of sanitary arrangements, and even entering the houses and sweeping up cobwebs with his own hand. He would even stand on a hill with an opera-glass to watch his tenants going to the fields, and if any one was late, would present him with a bundle of night-caps. As the tenants fed him and not he the tenants, they resented this supervision—which was, of course, shocking ingratitude."

The irritation of this to a population which is more and more permeated every year by American influences may be readily imagined, and yet to this, or something like it, nearly all the "good landlords" incline, and will hardly be satisfied with any tenure which deprives them of the paternal supervision of men to whom, when they revolt, they oppose the sanctity of contracts. The "bad landlords," on the other hand, make no pretence of anything but a desire to get all they can out of the tenants, and the Government cannot make distinctions between the two classes. If one kind goes, the other must go. The *Economist* compares their property to that of holders of consols, as equally entitled to Government protection; but there is the important difference that the holder of consols is not visible to the public gaze, does not collect

his interest directly from the taxpayers, and claims no control or influence over anybody in the capacity of a public creditor. He consequently does not require one-fifth of the protection the land-owner requires, and does not give one-twentieth part of the trouble. There would be little question of the expediency, on the landlord's own account as well as that of the country, of converting him into a fundholder in return for his land, if it were not that the Government would have to take his place towards the tenant, and try to collect in taxes a large part of what he collected in rent; and strikes against the Government would probably be tried in the expectation of compelling it to abandon its claims.

What Mr. Gladstone has most to dread now, and what Parnell is keeping in reserve as his last and most formidable weapon, is a universal strike against rent-paying. All others can be met with more or less efficacy by some kind of force. Meetings can be dispersed by the police or the soldiers; "boycotters" and assassins can be hunted down and tried, as is said to be now proposed in the impending coercion bill, by a commission of judges without juries; but if the great majority of the farmers refuse to pay rent, rents cannot be collected. Their cattle and produce cannot be sold because nobody will buy them, and they could not be evicted because there would have to be an armed guard on every farm in order to prevent re-entry. The greatest gain of the Land-Leaguers during the past six months, in fact, lies in the fact that they have discovered the practicability of a combination against rent-paying before which the Government would be powerless, and this discovery will support the Parnellites strongly in their struggles this winter. It is the increasing proof of the efficacy of such a combination which is, doubtless, influencing so many Irish landlords, even Conservatives, to acquiesce in the policy of concession. Parnell is, however, already alarming a good many of his followers and stimulating secession from his ranks by opening up the prospect of an endless fight. He made very little progress as an agitator for Irish independence or home rule. It was only when he took up the land question that he became a power, and now he is threatening to use the land question as a means of furthering his original scheme. There are probably not many Irishmen, however, who have the stomach just now for so long a war as this promises, and there are many signs of an inclination, even among Land-Leaguers, to see what the Government offers before going further. But there is some fear among the English Radicals that Mr. Gladstone may be prevented, by the influence of his Whig supporters, from going far enough to make the land question useless in the promotion of any other grievance.

#### STATE OF PUBLIC FEELING IN ENGLAND.

LONDON, Jan. 4, 1881.

IN three days Parliament meets, and long before this letter reaches America all England and all the United States will know what is to be the policy of the Government and how that policy is received by the country. There would be no gain in my sending to the *Nation* the political *outrés* and rumors of the hour. The secrets of ministers are generally well kept, and the knowledge of ministerial counsels which from time to time leaks out, is nowadays at once telegraphed through the country by gentlemen whose livelihood depends on providing the press with early information. I trust, therefore, I may be allowed to write of a matter which is within the knowledge of any intelligent observer, but which, just because it is equally observable by all men, is constantly not noticed, or at any rate not recorded, by any one. This matter is the apparent character of English sentiment at a period which every one must feel to be a crisis in English history.

The one obvious characteristic of the present phase of public sentiment—a phase which, he it remarked, may be entirely transitory and may have utterly changed before this letter arrives at New York—is the coolness, the calmness, one might almost say the stolidity, of public feeling. The time is one in which one might naturally anticipate general excitement. There is everything to annoy, a good deal to anger, and much to alarm the inhabitants of Great Britain. Things have not gone well with England either at home or abroad. Diplomatic want of success in the East, an uneasy state of affairs in India, an insurrection in Africa, the defeat of a British force by Dutch rebels, are vexations which fill the minds of sensible men with grave thoughts. But the gloom of affairs abroad is after all nothing to the darkness of the outlook in Ireland. No person of good sense can conceal from himself the fact that English statesmen are called upon to deal with something much more difficult to handle than merely political discontent. They are faced by a difficult social question complicated by the existence of something very

like a general strike against rent, and embittered by national and religious antipathies. To this it must be added that those persons (always a large class) who believe that wherever anything is wrong you can always find a specific wrongdoer, need not at the present moment be at the loss for a scapegoat. Even Liberals who, like myself, have the highest opinion of the patriotism and good intentions of the Ministry, are driven to confess that Mr. Gladstone and his colleagues will find it hard to explain why it was that measures which they are prepared to recommend in January they were not prepared to lay before Parliament in December or November. If it be true, as reported, that arms have for the last month or two been supplied freely to every discontented Irishman, there is at least one matter on which Mr. Forster will find himself exposed to most damaging attack. But though the circumstances I have mentioned, and others which will occur to your readers, would amply account for great popular excitement, and would probably in any other country throughout Europe cause outbreaks of vehement indignation and suspicion, the English nation is as a whole, if appearances are to be trusted, not generally moved either by fear or by anger. No doubt appearances may be delusive. I make no special claim to political knowledge or to political insight, and am at least as liable as others to mistake the sentiment of a limited number of acquaintance for that of the great public. Still, I find it difficult to fancy that I am mistaken in believing that a very rare condition of calmness really exists. Of the irritation which certainly prevailed in private circles during, say, your war of secession, or during the contest between France and Germany, I have on the present occasion seen and experienced personally little or nothing. But I place little reliance on the limited knowledge supplied by personal experience, and rely for my conclusions on facts which are patent to everybody. There have been no indignation meetings in any part of the country. The language of the *Times*, anxious as that periodical is to catch the tone of the moment, has been studiously moderate. A paper such as the *Standard*, which represents the cool Conservatism of the country better than any other journal, is in its language decorous, temperate, and a little dull. The *St. James's Gazette*, of course, breathes fire and fury, but the writers whose sentiment is represented by that paper described Mr. Gladstone, if my memory does not deceive me, as a "raving maniac," or something of that sort, just before he achieved the greatest political triumph which has fallen to any English statesman in modern times, and they a few days ago propounded the doctrine that martial law was the one thing needful for Ireland. If one looks to the leaders of the Opposition, such as Sir Richard Cross, one sees plainly enough that they wish to make their moderation known to all the electors, and therefore cannot in their hearts believe that the country is angry.

This curious calmness of opinion, which has its bad as well as its good side, is exemplified in the attitude of the public towards questions very different from those which agitate Ireland. If there is any matter which kindles men's passions even more certainly than discussions touching the rights of property, that matter is religious or theological controversy. Now, at this moment things have come to that pass with the Ritualist clergy that there threatens to be, one might almost say there already is, a conflict between Church and State. Nor are the points at issue really trivial. Mr. Dale and Mr. Enraght are, it is true, rather poor imitations of genuine martyrs; but they represent the opposition of sacerdotalists to the civil or secular view of life, and the refusal of priests to obey the secular courts; the doctrines of which they are more or less consciously the advocates are certainly opposed to all the notions which ordinary Englishmen sum up under the term Protestantism. Under these circumstances one might expect a storm of popular feeling such as within my own memory raged throughout England at the time of the so-called Papal aggression, and a reader of the religious newspapers might easily persuade himself that the nation was stirred to its depths either with sympathy at Mr. Dale's martyrdom or with indignation at Mr. Dale's Romish doctrine. I do not doubt for a moment that certain classes are, in fact, deeply moved, but I utterly disbelieve that even a bitter theological controversy has at this moment excited much emotion among the mass of the people. How long the country will keep calm in matters either of politics or religion no human being can foretell. All one can confidently assert is, that whatever be the cause of the phenomenon, there undoubtedly exists a strange appearance of calmness.

One other fact with regard to the present phase of opinion deserves notice, and will, I suspect, prove of permanent importance. This fact is the extraordinary and increasing difficulty which every one, be he statesman, newspaper writer, or private observer, finds in ascertaining what is the predominant sentiment of the country. That the cause of this difficulty lies partly in the increase of the population, partly in the social divisions which separate class from class, and partly in the great extension of the suffrage, is probable; but, whatever the cause, the existence of the difficulty is, I conceive, past a doubt. The fall of the Liberal Ministry in 1874; the collapse of the Conservative party in 1879; the patience with which the English public has tolerated a state of things in Ireland which, thirty years ago or less, would have been sufficient to rouse Englishmen to anger from one end of the



kingdom to the other, have each and all taken even keen observers by surprise. Those who realize the most vividly how hard it is to ascertain the exact drift of general sentiment, and how doubtful it is whether anything like a predominant public opinion really in most cases exists, will naturally be extremely slow to indulge even in general prophecies as to the future. That a latent though deep feeling of dissatisfaction with the mode in which the Ministry have governed or not governed Ireland exists in the minds of many men of the well-to-do classes, one may at least conjecture. But the present Government has, it should be added, never been popular with what, for want of a better term, one may call Society; and it is, therefore, at least possible that the increased animosity of men who have never loved Mr. Gladstone will not do him or his colleagues much practical harm. A more serious matter, in my judgment, is the ill-feeling towards Ireland and Irishmen which is (I say this with the deepest shame and regret) always latent in the minds of large bodies of Englishmen. In the present juncture of affairs this sentiment will hardly produce much immediate effect. Any proposals made by the Government which are not palpably oppressive or impolitic will, one may anticipate, be carried through the House of Commons. But there are two eventualities under which English prejudices with regard to Ireland might entail serious results. If either the House of Lords were to throw out the land bill proposed by the Government, or a break-down in Mr. Gladstone's health were to deprive the Cabinet of the strength derived from his name, one may doubt whether a Government bent on the vigorous redress of Irish grievances would find they had at their back sufficient popular support to overcome the obstacles which inevitably oppose any thoroughgoing scheme of reform. But I have slid too much into speculation. It is better to close my letter with insisting on a fact which may soon be forgotten, that at the commencement of what promises to be an era of political turmoil the English nation is, to all outward appearance, utterly unruffled by excitement. D.

#### DEVELOPMENT OF VICTOR HUGO'S GENIUS.—III.

PARIS, December 24, 1880.

WE left our bibliographical sketch of Victor Hugo in the year 1840. In this year he published only an ode, "Le Retour de l'Empereur" (Delloye), a small pamphlet which is now found only with difficulty. It was written on the occasion of the return of the remains of Napoleon from the Island of St. Helena. "Les Rayons et les Ombres" also came out in 1840. They mark the end of what I have called the second manner of Hugo—a manner purely lyric, not dramatic, with a certain vagueness, undefined aims and objects, cloudy rather than luminous.

"A travers mon sort m'le d'ombres  
J'aperçois l'lieu distinctement,  
Comme à travers les branches sombres  
On entrevoit le firmament."

If you counted the number of times this word *ombres* appears in the volume you would be surprised. The love of the sea, "cæruleum mare," which afterward, at Jersey, became so intense, is already felt in this volume; Victor Hugo finds inimitable words when he paints the ocean:

"Ainsi je rêve, ainsi je songe,  
Tandis qu'aux yeux des matelots  
La nuit d'ombre à chaque instant plonge  
Des groupes d'astres dans les flots."

Victor Hugo has in this volume the consciousness of his triumph. The frantic assaults of the "Classics" against him had been unsuccessful; he was elected a member of the French Academy, and entered the great conclave of the "Immortals" on the 3d of June, 1841, fully satisfied that in his case the word "immortal" was not a joke.

I cannot say much of 'Le Rhin,' a book of travels published in 1842 by Delloye, in two volumes. Hugo is not a good traveller: he does not see the realities; his mind travels even when his body is transported. 'Le Rhin' is curious enough, however, as an illustration of the Germanic leanings and tendencies of the Romantic school. In their reaction against the "grand siècle" and the "grand roi," against Louis XIV. and the ideal of Racine, of Boileau, the Romantics had plunged into the past, into the feudal ages, into the dark Germany of the Nibelungen; they were Wagners before Wagner, they invented descriptive poetry before he invented descriptive music. This turn of mind found its most eloquent (and may I say monstrous?) expression in the "Burgs," a trilogy published by Michaud in 1843, and represented at the Théâtre Français on the 7th of March, 1843. It is the *dernier mot* of the Romantic movement, and marks the end, so to speak, of the aggressive and dramatic period of the struggle against the Classics. The sublime ends in the ridiculous. Job, Burgrave of Heppenheff; Magnus, his son; Hatto, his grandson; Frederic of Hohenstaufen, the Duke of Thuringia; Lupus, Count of Mons; the Countess Regina; Guanhumara, are impossible creatures, who seem like the personages of a masquerade; they live in an impossible world, they are phantoms. The *Burg* of the Burgs is built on the imagination of the poet:

"Le burg, plein de clairons, de chansons, de huées,  
Se dresse inaccessible au milieu des nuées;  
Mille soldats partout, bandits aux yeux ardents,  
Veillent, l'arc et la lance au poing, l'épée aux dents.  
Tout protège et défend cet antre inabordable  
Seul en un coin d'est du ciel, tout formidable,  
Femme et vieille, inconnue, et plant le genou,  
Triste, la cha ne au pied et le carcan au cou,  
En haillons et voilée, une esclave se traîne  
Mais, O princes, tremblez! cette esclave est la haine."

The "Burgs," if it have any sense, is the glorification of the Empire and the funeral oration of the feudal ages. Victor Hugo had become a political man, he had been made a peer of France, chiefly through the influence of the Duchess of Orleans, who was one of his great admirers. He was a courtier, he was looked upon as a Conservative poet, in contradistinction to Lamartine, who was a deputy and on the benches of the Opposition. The attitude of Victor Hugo after the Revolution of 1848 astonished all his friends. Lamartine, his poetical rival, had become the head of the executive power; he had proclaimed the Republic from the windows of the Hôtel de Ville. Hugo was intoxicated with the spirit of the new revolution; it found him a peer and made him a tribune. His sons and his sons-in-law published a paper which was a permanent apotheosis of the Republic and of the great poet. He was elected a deputy, and made a few long, windy, pompous speeches, which were listened to only with deference. He spoke on perpetual peace, on capital punishment, on the problem of poverty, on philanthropic questions, more than on political questions. He was sitting on the benches of the Extreme Left when the *Coup d'État* of December 2, 1851, took place.

A new life began for Victor Hugo. He had belonged thus far to Paris, to Notre Dame, to the faubourgs of the great capital; his muse had been inspired on the crowded hills which enclose the little island of Lutetia. Now he was at large in the great world, he was a wanderer in exile. This transformation acted as a stimulant to his poetical genius. He had been silent as a poet for many years; in 1853 he published, at Brussels (Henri Samuel et Cie.), a little 18mo volume called 'Les Châtiments,' which will probably be read as long as Juvenal has been read: "facit indignatio versum." In the same year the 'Châtiments' came out in *vingt-quatre* (Geneva and New York). This was the first edition acknowledged by the author; it was printed by Saint-Hélier, and contained parts which had been cut out of the Brussels edition. The 'Châtiments' was sold in London in the little shop of Jeffs, in Burlington Arcade, and thousands of copies found their way to France and were secretly read. After the fall of the Empire, and the return of Hugo to his native land, many editions appeared in France. The first was published by Hetzel in 1871; there were more than forty editions published in 1871 and 1872, without the consent of Victor Hugo. During the siege of Paris detached pieces of the 'Châtiments' were read at the Opéra, on the 28th of November, 1870. Michel Lévy, with the author's permission, published an edition in 1875, in octavo form for the first time, and with the piece called "Au moment de rentrer en France: Bruxelles, 30 août, 1870." Hugo's poetical genius had not been exhausted in the 'Châtiments'; for in the year 1856 he produced 'Les Contemplations,' and in 1859 'La Légende des Siècles.' These poems form four huge octavo volumes. Here is a curious letter of Hugo's to Jules Janin, which was in the copy of the 'Contemplations' disposed of at the sale of the latter's library:

"Figurez vous qu'en ce moment je fais bâtir presque une maison. N'ayant plus de patrie, je veux avoir le toit. L'Angleterre n'est pourtant guère meilleure gardienne de mon foyer que la France. Ce pauvre foyer, la France l'a brisé, la Belgique l'a brisé, Jersey l'a brisé; je le rebâti avec une patience de fourmi. Cette fois, si l'on me rechasse encore, je veux forcer l'honnête prude Albion à faire une grosse chose: je veux la forcer à fouler aux pieds un 'home.' . . . Le curieux, c'est que c'est la littérature qui m'a fourni les frais de cette expérience politique. La dite maison, avec ses trois étages, son toit, son jardin, son perron, sa crypte, sa basse-cour, son *look-out*, et sa plate-forme, sort tout entière des 'Contemplations.' Depuis la première poutre jusqu'à la dernière tuile, 'Les Contemplations' paieront tout. Ce livre m'a donné un toit."

The 'Contemplations' and the 'Légende des Siècles' belong to the same poetical manner, a manner half descriptive and lyrical and half dramatic. To this third period we must also add 'John Brown,' a small poem with the epigraph:

"Oh! va, nous te ferons de belles funérailles,"

and with a curious Rembrandtesque design, "John Brown hanged to the gibbet," photographed from a drawing by Victor Hugo (published in 1861 by Dentu); and 'Les Chansons des Rues et des Bois,' published by the Librairie Internationale in 1866.

The most ambitious of these poems is the 'Légende des Siècles,' which aims at nothing else than at being a résumé of the history of the world, history in tableaux, in a succession of pages, illuminated like the old manuscripts. The short and light rhythms have disappeared in it; those brief poetical forms which were the delight of Hugo have made place for ever for the solid hexameter. It seems as if the poet could no longer jump and dance; he is old, he walks now with a heavy tread. Where are the *Djinus*? where are the airy verses of the 'Orientales' and of the 'Ballades'?

"Tout dort,  
Mer, ville  
Et port," etc.  
"Dans la plaine  
Na t un bruit;  
C'est l'haleine  
De la nuit," etc.

Hear him now:

"Tout s'illumine, l'ombre et le brouillard obscur;  
Des avalanches d'or s'écroulaient dans l'azur;  
Autant que le chaos, la lumière était gouffre."

The number of fine verses, of splendid images, which are to be found in these last volumes of Hugo is amazing; the poet in his old age makes me always think of Potemkin, who liked to play with a handful of diamonds. The diamonds are huge, they have magnificent fires, they are not set; they seem to run like a river of light; there is no form, no limit, no distinctness anywhere. The 'Légende des Siècles' produces on the mind the effect of a long dream, or of those "transformations" in the Christmas pantomimes in London when hundreds of actors go up and down, dance, run, appear, disappear in the glaring, violet electric light. I would not detract from the greatest poetical genius of our time, but I cannot help comparing the effect of his latest poetical works to that of a long passage at sea. How varied, how admirable and ever-changing are the aspects of the ocean, how sublime! yet, when you touch the land, all these sensations vanish at once from the mind; you feel that a part of your life has been taken from you, which cannot leave any trace. The foamy wake, which rolls like a ribbon behind the steamer, does not disappear more rapidly than the impression made on the mind by the perpetual surging of the sea. I sometimes amuse myself, in glancing over these last volumes of Hugo, by picking up a fine verse, as a child picks up a pebble on the long line of the sea-shore. There is one uniform pantheistic vein in all these last works. Hugo has not sacrificed at the Positivist altars; he is too much of a poet to kneel before Science. The Celtic element of his nature—"Mon père, vieux soldat, ma mère vendéenne"—appears everywhere. He is more of a pantheist, however, than of a deist. He places "the divine" (as we say now, for fear of saying God) everywhere; he sees it in nature's forces, in the wind, in the sea, in the stars; it is in the child, in the instincts of man, in the miseries of humanity as well as in its glories; he sees it even in vice, in folly, in crime. He is a respecter of all that is created, of all that suffers and lives and dies. He could not otherwise be a poet, for poetry is only a form of religion.

## Correspondence.

### MAJOR CORWIN AND THE TALMAGE CONTRACT.

TO THE EDITOR OF THE NATION:

SIR: In an editorial of December 30 you say:

"By the way, the prosecutors must not overlook Major B. R. Corwin, the prominent member—perhaps elder—of Dr. Talmage's church through whose instrumentality the contracts are said to have come to light. This gentleman witnessed the first contract, and probably knew its contents. If so, and he now thinks Dr. Talmage committed perjury in the account he gave of it, he ought to be disciplined vigorously for sitting silent in the Tabernacle ever since April of last year, and giving the world to understand that he thought the pastor a spotless man."

Will you please publish in reply, I am not now an officer in Dr. Talmage's church, or attendant? It was not through *my instrumentality* that the contracts came to light.

I did not witness the *contents* of the contract. "Witness to each signature" was all that I was requested to do. I did not know a single sentence contained in that contract.

I was never Dr. Talmage's business manager. During the trial I testified as follows:

"Cross-examined by Mr. Crosby:

"Q. Have you that memoranda referred to? A. *I have not; never had it.*"

Yours very truly,

B. R. CORWIN.

BROOKLYN, January 12, 1881.

### UN-MILESIAN CATHOLICISM.

TO THE EDITOR OF THE NATION:

SIR: In view of the statement in the *Nation* of the 6th instant, that "the criticisms of the *Catholic World* are not only Catholic but Milesian," perhaps the author of one of the articles cited as illustrating this theory may be permitted to state a few facts. Her father's family, though long settled in Louisiana, were originally Massachusetts Puritans, so uncompromising in politics that the good old clergyman who compiled their annals thought it fit to note that a certain Charles was the first of the name since the days of Charles the First, owing to their pious hatred of his name and character.

The staunch Protestantism of her mother's Swedish ancestors may be supposed to have been intensified by the marriage of one of them, while consul at La Rochelle, with the daughter of a Huguenot historian of the Reformation. Her paternal grandmother was of Scotch-Presbyterian, her maternal grandmother of Welsh-Methodist family. The fact that her great-grandmother's mother—an Englishwoman—married a Catholic Marylander, probably, from his name, of Irish descent, while it was sufficient to make her descendants Catholic, can hardly, I think, be held to make them Celtic.

THE AUTHOR OF THE ARTICLE IN THE CATHOLIC WORLD,

"The Louisiana of Creole Days."

WASHINGTON, January 11, 1881.

### CONGRESSIONAL DISTRICTS.

TO THE EDITOR OF THE NATION:

SIR: What is said in the *Nation* of this date of the abolition of Congressional districts will no doubt command a very wide assent. But I wish to ask whether that step will not require another—viz., *personal representation*? Why should a citizen of New York vote for thirty-five or more members, and a voter in Rhode Island for only one or two? Is it not the obvious inference from the abolition of district lines that each man shall vote for the one candidate whom he prefers to all others, those coming in at the head of the list being declared elected without any further machinery? And would not this lead to two very desirable results: 1, That each great interest in a State like New York or Massachusetts—agricultural, commercial, and so on—would put forth its own candidate and rally to his support; and 2, that each would compete with the rest by putting forward its strongest and best man? If a radical change is to be proposed, why not make it radical enough?

Your obedient servant,

A.

CAMBRIDGE, MASS., January 13, 1881.

### SOUTHERN HOMICIDE.

TO THE EDITOR OF THE NATION:

SIR: Apropos of Dr. Redfield's book on "Homicide North and South," and the *Nation's* late review of it, I give the following extract from the report of a Government officer in the South, now lying before me. The report is dated April 11, 1875, and the "neighborhood" referred to is not very far from Jackson, Mississippi. Northern men, by scores and hundreds, know what the South is losing, year after year, in population, development, wealth, and culture, from the too great prevalence of this self-same "homicide," which Dr. Redfield has written so boldly and yet so truthfully and soberly about. But to the extract:

"This is not a good neighborhood," Mr. T— said to me, as I was leaving; "seventeen men have been killed in this immediate neighborhood. I could stand on my porch and hear the pistol-shots with which five have been killed, and the last one my brother." I believe that he stated that the last five had been murdered within a year. No one has been punished for any of the murders."

The Government agent is a Northern man, and this may explain his use of the word "murdered" to describe the fate of the seventeen men whom his host mentioned only as having been "killed," without attempting to fix the legal characters of the several homicides.

A SUBSCRIBER.

WASHINGTON, January 17, 1881.

### THE NEW TREATY WITH CHINA.

TO THE EDITOR OF THE NATION:

SIR: The new Chinese treaty, or supplementary treaty, as it should be called, has been sent to the President with complimentary remarks by Mr. Evarts. It begins by a confession of rank cowardice on the part of a nation of 50,000,000 free people, who inform the Chinese Government, in solemn phrase, that they are afraid to admit a few thousand of their common laborers (of whom the Chinese govern millions with ease) without restrictions, "as they may endanger the good order of the said country." Thereupon the Chinese graciously allow the United States to regulate "such coming," but not to prohibit it. The United States go on to promise protection to such Chinese as shall be admitted, or who are already here—a confession that they have not been hitherto protected; perhaps required by the Chinese because they knew the shameful facts.

The treaty then comes to commerce. It makes provision that no American person or ship shall engage in the transportation of opium into China, or between the ports of the two countries, or buy or sell opium in any of the open ports, and imposes the same restrictions upon Chinese traders towards the United States. As touching Americans in China, supposing them to be engaged or wishing to engage in the opium trade, this article would be totally ineffective. It would simply oblige them to employ foreign clerks instead of American, and do the business in their name.



and through them. Where it is disastrous is in giving up the whole local carrying trade, coast and river, to English and German shipping. It subsidizes the vessels of other nations by the amount of the freight-money on opium, which is sufficient in the close competition of that trade to settle the question and drive the American flag from those waters.

The treaty next agrees on the part of the Chinese to levy only the same dues on coastwise trade done in American vessels as in Chinese, or on trade to and from the United States; and on the part of the United States to grant the same privilege to Chinese on trade between the two countries. There has been some question about the right of the Chinese to discriminate between foreign vessels and Chinese in levying duties on coastwise trade, and, so far, it is well to settle the question. But there was very little in the matter any way, and what advantage is gained will inure only to the benefit of other foreign nations under the favored-nation clause, as the opium paragraph disposes effectually of the United States flag. The latter part of the article secures to the Chinese the right to trade to the United States, which they ought to have, but it was not necessary to send three gentlemen unused to business twelve thousand miles to give it to them.

The last article provides for administering justice in civil cases in China according to the law of the nationality of the defendant. This was already provided for in existing treaties, and, though here more precisely stated, was probably only inserted as looking well, and because there was so little else.

It is, perhaps, necessary to remind the American reader of the true status of the opium subject: that it is a trade recognized by the Chinese Government, who levy and collect regular duties, and allow transportation freely under the Chinese flag, both in sailing and steam vessels; that it is freely dealt in everywhere by Chinese merchants; that opium is produced in many provinces of China, and more or less encouraged as an object of local taxation; and, finally, that it is an article demanded by the Chinese nation, who, according to our ideas, have a right to determine what they will use and spend their money for, superior to any rights of their despotic governors. Further, that there is a decided division of opinion as to whether the use of the drug, as the Chinese use it, is a national harm or not. Of course in extreme it does harm, as liquor does; and as all transient visitors to China are dragged, or hurry of themselves, to the opium dram-shops, and see the worst effects, they come away but with one opinion. But as the bulk of it is used, there is abundance of evidence and many believe that the Chinese are better with it than without it.

As for their Government, all the pretended virtue and horror of its use is put on for political effect. It is a traditional policy kept alive by hatred of the English, and because of its well-known effect on American sentimentality. They overestimate the value of the trade to the English, who, they think, would be ruined by its extinction, and they would go far to ruin the English. At heart they like the Americans no better, but as they fear only the English and simply despise us as a nation (whom their very coolies put in a mortal fright), they are ready at all times to pretend a friendship, hoping for some indefinite advantage against their "black beast."

Secretary Evarts could have done better than send this precious document to the President with words of commendation. E. C.  
MILTON, MASS., January 14, 1881.

## Notes.

A. S. BARNES & CO. have in press a 'Dictionary of English Phrases, with Illustrative Sentences,' by Kwong Ki Chiu, a member of the Chinese Educational Mission in this country. It will amaze the sand-lot gentry to be informed that this remarkable work will supplement our English dictionaries even for native Americans.—J. B. Lippincott & Co. announce 'The Origin of Primitive Superstitions,' by R. M. Dorman.—Harper & Bros. will reprint for this country Dowden's 'Shakspeare: a Critical Study of his Mind and Art'; Mitchell's 'The Past in the Present'; and Trollope's 'Life of Cicero,' in two volumes. They will also publish 'A Century of Dishonor,' Mrs. Helen Hunt Jackson's arraignment of the Government's dealings with the Indians; 'The Chinese: their Education, Philosophy, and Letters,' by President Martin, of the Tung-wen (Peking) College; 'Madame de Staël,' by Abel Stevens, LL.D.; and an enlarged edition of their Index to *Harper's Magazine*.—Lee & Shepard will shortly have ready Gen. Howard's 'Nez-Percé's War.'—'British Goblins,' by Wirt Sikes; and Harting's 'Extinct British Animals,' are on the list of J. R. Osgood & Co.—Ginn & Heath send us Shakspeare's 'King John' in their series of "Annotated English Classics" for school and family use, to be complete in twenty-four volumes; also 'King John' and 'Richard II.' in their pretty Harvard edition. Mr. Hudson is in both cases the editor, but regulates his notes and prefaces according to the class of readers.—The courtesy of the publisher, Mr. J. H. Soule, Washington, enables us to state that the amusing extract which we gave a fortnight ago from what seemed an office-seeker's guide forms part of

a respectable and useful work (not quite disinterested, to be sure), of which the title reads: 'The United States Blue Book: a Register of Federal Offices and Employments in each State and Territory and the District of Columbia, with their Salaries and Emoluments. Together with a manual of information and instruction for persons desiring public employment at the seat of Government or elsewhere,' etc., etc.—A "Red Book" just issued by the Baltimore & Ohio R. R. Co. by way of an advertisement, like the foregoing "Blue Book," professes to contain the most exact compilation of election statistics for 1878-80 anywhere procurable. They have been obtained from official sources, and are certainly presented in a very convenient form. A list of the Congressmen-elect in each State accompanies the tables, and there are pertinent "Remarks."—Director J. W. Powell, of the Smithsonian Bureau of Ethnology, has issued a second edition, revised, of his 'Introduction to the Study of Indian Languages.' It is designed as a "body of directions for collectors," and consists of a summary glance at the whole field, from language to games, with hints and explanations under each head, and schedules to be filled with Indian terms, etc. Maj. Powell has had the assistance of Prof. Whitney, Dr. J. Hammond Trumbull, and of Dr. Lewis H. Morgan, and, in addition to very full schedules for relationship, there are a number of charts of consanguinity.—Those who are ethnologically interested in the Indians may like to know that a large variety of photographs have been made of the children at school in the Barracks at Carlisle, Penn., as well as of adults and occasional visitors. They are offered for sale on reasonable terms by J. N. Choate, 21 West Main Street, Carlisle.—The *Library Journal*, we are glad to learn from the November-December number, will be continued another year, at a subscription price of three dollars, and at more frequent intervals.—The Fletcher Prize of five hundred dollars founded at Dartmouth College will this year be awarded by the Trustees to an essay on the "Perpetual Obligation of the Lord's Day," provided an essay be offered which is deemed worthy to be printed as a book.—Dr. Storrs's oration on "John Wycliffe and the First English Bible," delivered at the Academy of Music last month, has been printed, with the usual nice taste of this firm, by A. D. F. Randolph & Co., as a pamphlet of 85 pp. 8vo.—The twenty-third festival of the North American Turner-Bund will take place in St. Louis from the 4th to the 7th of June next.—In the January number of the *New-England Historical and Genealogical Register* Colonel Chester gives some valuable details concerning the Locke family in England, in tracing the descent of Margaret Locke, third wife of the colonial Deputy-Governor Francis Willoughby. This is the family of the philosopher Locke, who appears in his proper place.—The 'Illustrated Catalogue of the Historical Exhibition of Belgian Art and of the Musée Moderne at Brussels' (Paris: Baschet; New York: J. W. Bouton) possesses unusual interest. The sketches were made from the paintings of the past half-century, by the artists themselves, as in the case of our art-exhibition catalogues, which, by the way, show a more even quality of autographic "process" work. There are the usual indexes and biographical notices, and the volume is well worth preserving.—A new novel by Friedrich Spielhagen, entitled 'Angela,' is now appearing in the feuilletons of the *Berlin Tageblatt* and the *Vienna Neue Freie Presse*.—A late number of *Le Français* tells of a young colored girl, Alice Dubois, a native of Compiègne, who, being already a bachelor (the word is applied by Ben Jonson to a virgin) of science—*bachelère des sciences*—has just passed successfully the first stage of the baccalauréate of letters.—It is a little disheartening to find American politics distorted in so excellent a journal as the *Rassegna Settimanale* of Florence. In its issue of November 14 this paper comments adversely on the assumed fact that President Hayes occupied himself during the late canvass in running about the country to make votes for the party which had elevated him ("andò percorrendo lo Stato in più direzioni per accaparrar voti al partito da cui era uscito egli stesso"). We apprehend that General Grant was the real offender.

—Robert Clarke & Co. have addressed a letter to the *Publishers' Weekly* containing some suggestions with regard to international copyright which deserve attention. They admit that there are numerous objections to the short limitation of time which is an essential part of the various schemes as yet proposed, and add a new one. Besides novels and works of general literature, they say, there is a large class of works of a professional character which cannot be reprinted verbatim, but need afterwards the addition of American editorial comment. Medical and law books are of this class. Foreign professional treatises are hardly ever reprinted in this country without being enlarged by the addition of notes which are absolutely necessary to meet the demands of the market here; to edit such works and bring them out within three months of the time of foreign publication is clearly out of the question. With a three-months' limit these works would remain, as they now are, open to piracy on every side. It is, therefore, suggested that with regard to all cases in which an agreement would be likely to be made with the author before publication (embracing all works of general literature, especially by writers of established reputation), the American publisher should be

allowed to enter the foreign works for copyright, as "proprietor," on the deposit with the librarian of Congress of the title of the work, and a certified copy of an agreement with the author for the sole right of publication in this country. All other cases might be provided for by requiring the foreign author to register his title before publication abroad, and to deposit one copy of the original edition within three months from the date of publication; this copyright to be valid for one year and transferable within that time to a citizen of this country. The objection to the extension of time urged in some quarters, that the reading public would justly object to any plan which would have the effect of withholding from them interesting books, seems to have little in it; for the simple reason that in all cases of interesting or important books arrangements would undoubtedly be made in advance of publication.

—Mr. Lathrop's article on "Literary and Social Boston" in the February *Harper* is, in virtue of its subject at least, the most striking of the number. It is too discursive to invite criticism, and regarded merely as personal gossip it may be said to include pretty nearly all the significant names in socio-literary circles in and about Boston, without much concern for proportion. We need hardly insist on the disadvantage of openly belonging to the society one attempts to describe in this fashion. The portrait illustrations representing the older and the younger poets, novelists and litterateurs enumerated by Mr. Lathrop are of rare excellence, except in the case of the group called "Radical Club Meeting at Mrs. Sargent's," where there is only an amusing verisimilitude. In the second paper on the "Old New York Volunteer Fire Department" there is an affecting pictorial reminder of Boss Tweed in a representation of his fireman's hat when foreman of "Big Six." Miss Fryatt's account of the growth of the pottery industry in this country will repay reading. It is some time since we have had one of those entertaining abstracts of popular works published by the proprietors of the magazine which were a distinct and very useful feature of *Harper*. Mr. John Bigelow here gives the pith of Trevelyan's "Early History of Charles James Fox," rendering an even greater service to English readers than American, by as much as the original work is more inaccessible to the British public than to our own.

—Mr. Morse's paper on "John Quincy Adams's Diary" in the February *International Review* is good enough to make up for Mr. George Barnett Smith's aimlessness apropos of Tennyson's new volume, the quality of which is all that conflicts with the statement that the number has not a bad article in it. Mr. Morse begins by saying truly that his subject is not picturesque, but, in the sense of furnishing material for picturesqueness of literary portraiture, he was, as Mr. Morse's characterization proves, uncommonly strong. We have read nothing better of the kind in some time than the first three pages of this essay. Mr. Robert H. Parkinson attacks "Froude's Defence of Henry the Eighth" with, apparently, the same success that has rewarded similar efforts hitherto. Mr. John Codman writes in a peppery and sensible fashion upon "Our Mercantile Marine," and Mr. Hamilton Andrews Hill discusses "The Tariff Question," advocating the Eaton Commission, giving incidentally a résumé of American tariff history, and, though an evident free-trader, having the wisdom to forego much that is unpersuasive, however sound—wisdom which the Philadelphia papers testify when the contrary course is adopted. Mr. James M. Hubbard takes the rational view concerning "Fiction and Public Libraries," that the libraries should make some effort at selection; Leopold Katscher contributes a biographical sketch of Hans Christian Andersen, which could but be interesting; and Mr. Thomas Sergeant Perry a paper upon "Zola as a Critic," which, it strikes us, is both sound and courageous. We are certain that it is sound, at any rate, and extremely well put, and writing the truth about Zola just now seems hardy because so many readers, even of those who feel the power of his fiction, must have become so thoroughly sick of his critical gospel that they would simply prefer to hold wrong views of it and to accept the consequences, rather than to hear his name mentioned. Why this petulance is so widespread would make the best thesis of a possible paper on Zola.

—According to a paper in the November number of the *Victorian Review*, published at Melbourne, "The Coming Australian" is to have a character of his own. He has now, it appears, for his three main traits: "1. An inordinate love of field-sports; 2. A very decided disinclination to recognize the authority of parents and superiors; 3. A grievous dislike to mental effort." The writer does not blink the gloom of this outlook. The first defect he thinks due in some degree to climatic influences. The Australian "lives in a sunny land, inhales a balmy air, and gazes on cheerful skies"; his descendant will, therefore, "transact most of the business of life in the open air." It is easy to assemble fifteen or twenty thousand people at a foot-ball match between rival cities and towns; everybody knows all about Trickett the oarsman and Murdoch the cricketer, and takes the acutest interest in their careers; "out of every ten native Australians nine spend all their leisure in the practice of either cricket or foot-ball." The term "larrikinism" illustrates the fact that "youthful misconduct has become an institution amongst us," and, owing to the defective early education of most young Australians, there is no

doubt of a very general indifference to authority. The third defect is illustrated by the general ignorance and carelessness concerning such intellectual products of Australia as Farjeon—"now generally regarded as the only legitimate disciple of Charles Dickens"—Nicholas Chevalier, the painter, and Charles Summers, the sculptor. Accordingly, it is prophesied that the Australian of twenty years hence (that is synonymous with the "future," we observe) will spend most of his time out of doors, lightly clad, and a great sportsman; he will be thoroughly independent, unambitious, and careless of the great world; "the trumpet of war will never arouse a martial impulse in his breast"; he will not be religious, at least to the extent of going to church on Sunday, nor will he study or have refined tastes. The only hope held out for him is a possible susceptibility to the influence of music.

—In the Vienna *Neue Freie Presse* of December 30 appears a letter from Boston, by Björnsterne Björnson, the Norwegian novelist, in which he records some of his impressions of Americans. He was present at the reception to General Grant at Governor Long's, and was there introduced to various notabilities, whose names, however, he refrains from mentioning, since, "thanks to the reticence of our European press, we hardly know any Americans except those who are candidates for the Presidency, or have already held that position." After the various representative assemblies and the various monarchs with their surroundings he had seen, he still found this assemblage of intelligent and strong-willed men new and remarkable. "These powerful, healthy figures, these speaking eyes and manly features, this strong but ever-subdued will which determined their mien, bearing, and movements, were communicated to me like an electric current; never did I feel more energetic, never have a keener sense of the pleasure of existence." Of Grant he gives the following description: "He is small (*untersetzt*), his head somewhat bent forward. His eyes, somewhat inflamed, are unsteady when he is greeting a person, but during conversation they are fixed calmly and steadily on the person addressed, and he then reveals his principal characteristics: sound, cool reflection, firm expression in bearing, attitude, and mien. Grant is not a great mind . . . ; but he is a pure, a strong character, who chooses of all counsels the soundest, and clings to them till they have become facts." Björnson also attended a meeting of the Congress of Women in Boston, and hazards the statement that there is not a savant or man of letters in that city who does not exert all his influence for the emancipation of women. He had expected to find in this meeting representatives of the large family of emancipated visionaries, but what he did find was "intelligent, bright, energetic, or refined, meditative women who had there assembled," and he adds that the hours he thus spent were the most enjoyable of his life, for he lived here, as it were, in the future. After listening to several of the addresses he came to the conclusion that the women themselves will take the initiative in abolishing the "Mode-dame," the type of the elegant, weak, inactive, pious being, as well as that of the piquant doll always making an exhibition of herself, which men have reared for their own peace and pleasure. During a Sunday excursion in the neighborhood of Boston he met many women who gave the impression of being not subordinate followers of their husbands but their equal companions. He also records the existence of a strong current in the best society against extravagance and in favor of temperance, and mentions the odd fact that at the finest assemblies the servants pour ice-water into large goblets with the same *grandezza* as if it were champagne, and make the most laudable efforts to keep the glasses filled. We may mention here that Bodensstedt's series of letters on American social life, lately printed in *Ueber Land und Meer*, will soon be issued in book-form. A correspondent writes us that they are "the most accurate and unprejudiced account of the sort I have ever seen, revealing in every statement the observant eye of a great poet and executed with the skill of a great literary artist."

—The programme of the third concert of the Philharmonic Society, on Saturday, contained nothing new or particularly stirring, but this did not prevent the concert from taking rank among the most enjoyable performances of the musical season. The two symphonies, the G minor by Mozart and the C major by Schumann, are familiar as household words to all concert-goers, yet, thanks to the excellent performance, they appeared as fresh and beautiful as ever. The varied expression given by Mr. Thomas to the five movements of Mozart's symphony, the solemn introduction followed by the sparkling allegro, the melodious lyric adagio relieved by the quaint, pompous minuetto, and the vigorous and brilliant finale, left nothing to be desired. In the Schumann Symphony Mr. Thomas took both the Scherzo and the Finale at an unusually fast tempo, but such is the training of his large orchestra that no lack of precision and artistic ensemble-playing could be noticed. Mr. George Henschel was the soloist of the evening. He was in good voice, and sang three numbers—a recitative and aria from Handel's opera "Siroë," a scena from Weber's "Euryanthe," and Schumann's famous song, "The Two Grenadiers," in his best manner.

—Mr. Feininger's second concert of chamber-music attracted a large audience, which completely filled Steinway Hall. The point of interest was



the appearance of Mr. Joseffy. His rendering of Bach's celebrated Chromatic Fantasy and Fugue must have been a disappointment to many of his admirers. His execution was technically faultless, but he played with a small, crisp touch, with extraordinary changes of piano and forte, and took such unwarranted liberties with the tempo that the simplicity of the work, which constitutes its principal charm, was all but lost. In some selections from Schubert and in Schumann's quintet for piano and strings Mr. Joseffy was, however, as artistic as ever. Mr. Feininger played an "Allegro di concerto," by Bazzini, in truly excellent style both in tone and execution—much too good, indeed, for so flimsy a composition.

—In a recent number of the *Nation* (September 16) we reviewed Arnold's 'Deutsche Urzeit,' a work which sketches exhaustively the primitive condition of the German people. This sketch may be followed up, at least in the department of industry and social life, with 'Deutsche Wirtschaftsgeschichte,' by Prof. Inama-Sternegg, of Prague, the first volume of which was published in 1879. This covers partly the same ground as Arnold's work, but only by way of introduction; in general it begins with the period of the migrations of the Germans and their settlement in fixed homes—with which event alone, he tells us (p. 4), the history of a people begins. This volume comes down to the close of the Carolingian period, and so embraces the period of the formation of great estates, the decisive point in the development of the feudal system. It thus covers the ground of the author's smaller treatise (noticed in the *Nation* for January 22, 1880), 'Die Ausbildung der grossen Grundherrschaften in Deutschland.' The second book might almost be considered an expansion of the earlier work, but it is an entirely new treatment, having been wholly rewritten, with a new order and new divisions. The two books into which the work is divided treat of the periods before and after Charles the Great respectively, dividing the volume into nearly equal parts. The work is of the first importance in the study of mediæval institutions, and of economical history in general. The author remarks in his preface that "the economy (*Volkswirtschaft*) of no other civilized people developed so independently and free from the influences of foreign civilization as that of the Germans."

#### CHARGING THE JURY.\*

MR. THOMPSON'S valuable book contains a good deal that is of interest to lay as well as to professional readers. The subject of charging the jury is one about which a hundred years ago hardly anything could have been written. The body of law, statute and common, which now makes the charge of the judge one of the most important and delicate episodes of an ordinary civil or criminal trial, is the growth of recent times. Before what may be called the conscious period of Anglo-Saxon jurisprudence began, the province of the court in giving the law to the jury was almost as undetermined as the province of the jury in ascertaining in civil cases the measure of compensation to be awarded to a successful plaintiff. Now, just as a verdict may almost always be upset when, by applying certain well-established rules of compensation, it can be seen that it was too large or too small, so a new trial can be had on the ground of error committed by the court whenever it appears that the judge at the trial has erroneously instructed the jury as to the principles of law which should govern its conclusion. This has been carried much farther in this country, as might have been expected (under the influence of the democratic jealousy of courts and judges which prevailed down to the period of the introduction of the elective system), than in England. Statutes exist, as is pointed out by Mr. Thompson, in some of the States, and settled rules of procedure in others, prohibiting the judge from expressing, or even hinting, an opinion to the jury upon the facts of the case. The old practice, which still prevails in England, allowed the utmost latitude to the judge in this respect. The theory is that it is impossible for an ordinary jury to distinguish between positive directions and positively-expressed opinions, and the only safeguard of litigants lies in the right to a new trial. Judges are, however, human, and it is not in human nature, as human nature is ordinarily constituted, to try a case with an absolutely impartial indifference to every consideration except the single one that the result should not be open to the fatal charge of error. Most judges form an impression very early in a case as to which side ought to prevail, and the judicial impression of the equity of the case will generally color the charge. Consequently, in closely-contested cases, particularly those in which the sympathies of the jury are almost certain to be on one side, counsel feel that there is as much at stake in the charge of the judge as in any other part of the trial. As a general rule, the refusal to charge in accordance with well-settled principles of law applicable to the case is a fatal error, and must result in a new trial on appeal; and in closely-contested cases it may be suspected that a skilful lawyer, perhaps more familiar with the law of the subject than the judge, will get a new trial through the denial of a request to lay down some unfamiliar rule of law, where he knows very well that even if it had been laid down the result would not have been different.

Mr. Thompson thinks that we have in this country carried the protection of the jury from the judge too far. He says:

"The great people from whom we have derived our civilization and our laws have found it necessary to the proper determination of questions of public and private right not to carry the right of trial by jury to this extent, either in civil or in criminal cases. In the books of reports of that country there is very little—scarcely anything—to be found on the subject of 'misdirection,' as it is there called, and it is seldom indeed, when compared with our practice, that a cause is taken to a higher court by an English lawyer on this ground. We, on the other hand, have grown wiser in our day and generation. Our books of reports are filled with decisions on the propriety of giving or refusing certain instructions, or admitting or rejecting certain evidence, with scarcely any attention paid to the question whether the verdict is right—decisions which, in the eyes of an English jurist, would look trivial in the extreme. With us 'the province of the jury' is a sort of sacred realm surrounded by the barrier of a superstitious veneration; while in reality it is in many cases a judicial White Friars, whose privilege of sanctuary is pernicious to the best interests of society. Every system must be judged by its results; and when the results of this system are considered, the veneration which surrounds it diminishes, and it becomes a subject of apprehension and discouragement to right-thinking men. Under it the number of new trials, of frivolous appeals, and the consequent delays of justice, have become an absolute reproach to the law; a judicial force is required greatly in excess of what would otherwise be needed; the number of persons who are kept away from their business in the performance of jury service is so great as seriously to inconvenience the business community, and the expense which attends the administration of justice is a serious burden to society."

As an example of the delicacy shown by American courts in refraining even from the semblance of invasion of the province of the jury, nothing better could be found than the Alabama case cited by Mr. Thompson at p. 79. The judge in charging the jury was obliged to explain to them the technical doctrine of "exemplary damages." In certain cases juries have a right to give the plaintiff damages over and above the amount of his pecuniary loss or injury, as, for instance, where the act of which he complains and on which he founds his suit is one characterized by wilful malice. In the case in question (*Hair v. Little*, 28 Ala. 236) the judge playfully remarked that exemplary damages were "such as would teach the old gentleman not to violate the Sabbath, nor injure his health by riding in the night, nor interfere with the rights of others." Now, it is clear that this was not a proper way to charge a jury, but it is equally clear that it could have had almost no influence upon the minds of the jury. Yet for this slight attempt at humor the judgment was reversed.

The remedy for this state of things, Mr. Thompson thinks, is to be found in going back to the old ways in allowing the court to exercise its legitimate influence upon the jury—that is, the influence which learning and skill and experience ought to have upon the minds of an average body of men gathered together at haphazard from the community for the determination of litigated questions. Upon every motion for a new trial, upon every appeal, the first thing the court should do is to look into the case to see whether the verdict was right, and if it appears to be so, no matter what errors have been committed in reaching the conclusion, it should not be disturbed. He admits that there must be exceptions, but insists that this should be the general rule.

The remedy seems a simple one, but we fear there are difficulties in the way inherent in the very nature of our system of law which will prevent it from being applied. The separation of the province of court and jury is not, as might seem at first sight, an accidental thing, but one which is closely connected with what is, perhaps, the most fundamental principle of Anglo-Saxon as distinguished from Roman law—its respect for and dependence upon precedent. How precedent in our system ever came to have its present obligatory character, why it should not be open to a judge with a decision in point before him to repudiate it, are matters into which we have no space to enter here. The position of precedent in Anglo-Saxon jurisprudence, however it may be explained, is one of the most important facts connected with the system. It is itself the cause and explanation of many other peculiarities of that system. Is it not, for instance, owing to the sanctity of precedent that the "volumina legis" are swollen each year with such an alarming body of additions? The classical "crescit in orbe dolus" will hardly suffice to account for the startling fact that every lawyer, to be fully equipped for practice in Boston or New York, must have access to the latest volume of decisions rendered by the courts of last resort in Colorado or Kansas. But the sanctity of precedent is the key to several things more important to the world at large than the alarming growth of necessary "reports." The existence of a *tendency* to separate the province of court and jury must, of course, be derived from a variety of sources—popular jealousy of the courts, the dangers of a confusion between the two suggested by political trials, and that inherent tendency to differentiation which seems to pervade all social functions. But the tendency once admitted, the effect of the sanctity of precedent is to double its force. Every litigant has an inalienable right to make the most of every error committed in the course of the judicial determination of his rights by the court. He is entitled to a fair trial, and, if he does not get one, to a new trial. This right, however, might be exercised every day without

\* "Charging the Jury: A Monograph. By Seymour D. Thompson." St. Louis: William H. Stevenson. 1880.

any new rules of law being established, were it not for the position given to precedent in our system. It is perfectly easy to conceive of the right of appeal being exercised without the decision of the appeal going any further than determining that in the case of A. against B. there must be a new trial. But with us whenever such a decision is reached it does far more than decide the particular case; it determines a rule of law which in all future cases of a similar character must be followed by all inferior courts. If inferior courts disregard the rule, another appeal settles it, since it may be assumed that the court of last resort will almost invariably adhere to its own decisions. Now, each new case which arises establishes additions to or qualifications of the rule, until, finally, what was simply in the first instance a decision as to the rights of A. and B. becomes a principle of jurisprudence embedded in the law like a positive statute enacted by the legislature, but far more firmly, because acts of the legislature may be repealed, but rules of law established by judicial legislation are judicially almost unrepeatable.

To return again to the question of the differentiation of the provinces of judge and jury, we have in the beginning the simple principle that for substantial errors a new trial may be granted. Then we have a tendency to restrict the court to judicial functions and the jury to matters of fact. Then we have a series of questions as to the invasion of the one by the other presented to appellate courts for determination, and a series of determinations which establish with the most extreme nicety precisely what is and what is not an invasion of the province of the jury. It may be true that in England they have not gone as far as we have in this direction, because the tendency has not been as strong in England as in this country. But if the tendency were made stronger in England, the result would be just as inevitably reached there as in Kansas. The only way in which the tendency is likely to be checked that we can see is by a reversal of popular sentiment on the general subject of the relation of courts and juries. Whenever there is a general feeling that courts should be strengthened, that justice is better administered in the long run by giving them as much power as possible, then undoubtedly we shall see that return to the earlier practice which Mr. Thompson desires. At the same time we shall probably see the elective system abolished, and tenure during good behavior substituted for terms of judicial office. Such changes can only be effected in modern times by drastic legislation, and such legislation does not come until after a period of agitation in the course of which public opinion has been moulded under the pressure of long-felt evils into new forms.

It is one peculiarity of the jury system of England and America that, notwithstanding the long discussion which has been going on as to its merits and defects, it remains in substance unchanged, and that there is as yet no common agreement upon the question whether upon the whole it is a curse or a blessing. That it should still continue to exist after so many fierce attacks upon it; that it should, at the very time when its enemies at home seemed to be making most progress, have begun to thrive upon foreign soil, where it was at first an absolute exotic, is a strong proof that there is something in jury trial—in the system of having facts decided by a body of judges drawn from the community at large, and law decided by trained lawyers—which is in accordance with the sentiment and convenience of modern society. At the same time it must be confessed that there is something strangely anomalous in having, side by side with this popular bulwark against injustice and oppression, a system of law administered by the same courts in which juries are unknown, and facts and law alike are decided by the court. Of what avail is the elaborate separation of the provinces of court and jury described by Mr. Thompson, if the same court, sitting with the powers of a chancellor, may dispense with a jury altogether, merely because the relief sought is different? However this may be, the process of differentiation, of which Mr. Thompson complains, seems to us so closely connected with fundamental peculiarities of our system, and so in accord with the tendencies of the time, that we are unlikely to see any change in it, at least for a long period.

#### COMMODORE MORRIS.\*

IT is to be regretted that the very limited edition of this book will prevent its wide circulation and the popularity it deserves. An autobiography of one of the greatest American naval officers, relating in modest and expressive language the stirring scenes of the naval wars of the early part of the century, in which the narrator was an actual participant, is now brought to light by Professor Soley, and offered to the Naval Institute. Charles Morris was born in Connecticut in 1784, and entered the navy as an acting midshipman in 1799, making his first cruise on board the frigate *Congress*, of which vessel his father was purser, during the hostilities between the United States and France. In the reduction of the navy which followed the close of this war Morris senior lost his appointment as purser, and young Morris remained unemployed until the spring of 1803. He occupied this time in professional studies, and next served under Commodore Edward Preble in the squadron

fitted out against Tripoli. In this squadron Morris did good service, and participated in the destruction of the *Philadelphia*, in the harbor of Tripoli, under Decatur, then a lieutenant. His account of this daring and successful enterprise is most interesting. The little vessel on board of which the attacking party lay concealed drifted into the harbor on a still evening. Morris's reflections were of a serious character, and reverted to his friends at home and to the perils he was about to meet:

"Should I," thought he, "be able to justify the expectations of the former by meeting properly the dangers of the latter? How was I prepared for the death which might possibly be my fate? These, with others of a more sombre character, mixed with calculations to secure a prominent position when boarding, passed rapidly through my mind. The wind wafted us slowly into the harbor, the water was smooth, and the young moon gave light enough to distinguish prominent objects. One battery was passed, the *Philadelphia* was in view, near several smaller vessels, and the white walls of the city with its batteries were before us. We steered directly for the frigate, and at last the anxious silence was broken by a hail from her, demanding our character and object. Then might be seen the eager movements of the heads of the officers and crew who were stretched on the deck, ready to leap forward at the word of their commander, but still resting in silence. A conversation was kept up between the frigate and the ketch, through our pilot, acting under the direction of Decatur. We alleged the loss of our anchors during the last gale, which was true, as a reason for wishing to make fast to the frigate till morning, and permission was obtained. But just as the ketch was about coming in contact with the frigate the wind shifted, blowing lightly directly from the frigate, and it left us at rest abeam and about thirty yards from her. This was a moment of great anxiety. We were directly under her guns, motionless and powerless, except by exertions which might betray our character. The *Siren's* boat was, however, in tow, and was leisurely manned and took a rope to make fast to the ship. She was met by a boat with another rope, when both were united and each boat returned to its vessel. . . . When the vessels were nearly in contact the suspicions of the enemy appeared to be aroused, and the cry of '*Americanos*' resounded through the ship. In a moment we were near enough and the order '*Board!*' was given. The surprise had been complete and the enemy scarcely made a show of resistance."

The ship was immediately fired at various points and the boarding party returned to the ketch. By great exertions the vessels were separated before the fire, which burst out of the ports of the frigate, had enveloped the ketch, and she was swept out of the harbor under a heavy fire from the other ships of the enemy and the batteries on shore. Morris was the first in boarding, and was encountered in the chains by Decatur, who supposed himself to be first, and narrowly escaped death at his hands, being mistaken in the darkness for an enemy. This exploit, says Morris, added much to the renown of the navy, both at home and abroad.

In 1811 Morris was attached to the *Constitution* as first lieutenant, and it was during this cruise that he visited Paris and was presented at the court of the Emperor Napoleon. When the Emperor had received all the legations he returned slowly along the line, returning the salutations of the different legations as he passed, but conversing only with the Americans.

"When opposite Mr. Barlow he observed: 'I perceive the English Government has returned the seamen formerly taken from one of your ships of war' (news of which had been received a few days before); to which Mr. Barlow replied, 'Yes, sire, and in a manner honorable to our country.' With a peculiar smile, and a slight toss of the head, he rejoined, 'So long as you do not injure the commerce or the revenue of England, you may do whatever besides that you may choose with her,' and passed on."

Morris thus describes the Emperor:

"In height he was about five feet eight inches. He had already exchanged the slight and slender figure of the conqueror of Italy for a fulness which verged closely on corpulency. His movements were slow, but easy and dignified; the expression of his face generally grave and composed, the upper portion indicating deep thought, and the mouth and lower part firmness and decision. His eyes were dark, clear, and penetrating, but without much brilliancy, and their motion was slow when passing from one object to another. His smile gave an agreeable and amiable expression to his face, which could hardly have been expected from its generally cold and fixed character; but a smile seemed to be of rare occurrence, as it only appeared for the moment when he last addressed Mr. Barlow."

The breaking out of war with England found Morris still first lieutenant of the *Constitution*, though he had made ineffectual attempts to obtain a separate command. The ship sailed from Annapolis on the 5th of July, 1812, and on the 16th she fell in with the English squadron, from which she made her famous escape by towing and warping. The latter expedient was adopted at Morris's suggestion, and it saved the ship. On the 19th of August she met and captured the *Guerrière* frigate, and this, the first achievement of the war, won Morris his promotion, and he was commissioned as captain at the age of twenty-eight. The interest of the book culminates in the description of this splendid action, which is given with a seaman's vigor and simplicity, and with a modesty concerning the narrator's own important part in the combat which is peculiarly attractive. The *Guerrière's* mizzen-mast fell early in the battle, and both ships being before the wind the *Constitution* ranged ahead,

"when our helm was put hard aport to cross her bows and rake her.

\* The Autobiography of Commodore Charles Morris, U.S.N., with a preface by Professor J. R. Soley. Published by the Naval Institute, Annapolis, and by A. Williams & Co., Boston.



We had time to give two raking broadsides before her jib-boom crossed our quarter-deck, and we bore up to prevent her crossing our stern. With her bowsprit and jib-boom slightly entangled in our lee mizzen rigging she fell astern of us, rather on the lee quarter. As the bowsprit afforded a convenient passage for boarding, such an attempt seemed very possible in her crippled condition, and, for the purpose of ascertaining if her men were collecting, I got upon the taffrail. The appearances induced me to suggest to Captain Hull that men should be called to repel boarders, which was done. Believing that advantage might result from keeping the enemy in his then position, I was attempting to pass some turns of the main-brace over her bowsprit, when I received a ball through the body, which threw me on deck, and left me stunned for some minutes. . . . Having been lifted to my feet, I was able in a few minutes to resume my duties. In the meantime the ships had separated. Shortly after, the enemy's fore and main masts went by the board, and at 6.30 she fired a gun to leeward in token of surrender. . . . When the ships separated and the action was over, there was no further occasion for my presence, and my voice began to fail and my wound to become painful; and I accordingly surrendered the charge of the deck to the second lieutenant, Wadsworth. After some directions for extinguishing a slight fire in the cabin, which had been produced by the enemy's wads, when she was nearly in contact, I went to the cock-pit for examination. This was soon done, and during the remainder of the night pain nearly deprived me of all consciousness."

During the autumn of 1812 Captain Morris was invalided on account of his wound. In the spring of 1813 he sailed from Washington in command of the *Adams*, but this cruise proved disastrous, and the ship went ashore, in August, 1814, near Mt. Desert, and was destroyed to prevent her falling into the hands of the enemy. Captain Morris marched his ship's company to the naval station at Portsmouth without the loss of a single man. A court of enquiry followed, which fully exonerated the officers and crew for the loss of the ship, and Captain Morris was complimented by the command of the *Congress*, a larger ship than the one lost. Peace with England followed almost immediately, however.

After the close of the war Morris's services were varied and important. He was some time member of the Board of Navy Commissioners, and he commanded the *Brandywine* frigate, which conveyed La Fayette to France, forming on the passage a sincere friendship with his distinguished passenger. He visited La Fayette at La Grange, and while there sat to Ary Scheffer for his portrait, a copy of which adorns this book. The autobiography ends abruptly in 1840, when Commodore Morris was again a member of the Board of Navy Commissioners. The narrative was prepared by him, not with a view to its publication, but to tell his children the story of his life. It is to their kindness, Professor Soley says, that he has been able to present it to the Naval Institute, with the well-founded hope that "as the biography of one who was thought by many of those who knew him the foremost man of the old navy, one who united judgment and self-control, in the highest degree, with courage and zeal, and who was as successful in the office as upon the quarter-deck—and as the modest record of a blameless life—it may not be without its lesson for the navy of to-day."

*Island Life*; or, the Phenomena and Causes of Insular Faunas and Faunas, including a Revision and an Attempted Solution of the Problem of Geological Climates. By Alfred Russel Wallace. (London: Macmillan & Co.; New York: Harper & Brothers. 1880. 8vo, pp. xvii.—526, with maps and illustrations.)—Some of the most interesting biological problems are treated by Wallace in this volume. He presents in a popular form the more recent discussions upon the causes of climatic changes, adopting as a starting-point the theory of the great antiquity of the existing continents and oceanic basins. He treats of their bearing upon the causes which have led to the origin of the faunas and floras of to-day on oceanic and on continental islands. The climatic changes which must have taken place on this planet since the time of the chalk, have excited the greatest interest since the discovery within the Arctic circle of the remains of Tertiary plants which at the present day only flourish in climates as warm as those of the temperate zones. Some geologists have attempted to explain this warmer climate by a change in the earth's axis of rotation; but this theory has not found favor with physicists, nor with those geologists who have accounted for the ancient warmer climates of the Arctic region by the action of currents similar to that of the Gulf Stream at the present day. Now that we are beginning to understand the effects of oceanic currents, and know how slight a modification in existing currents would completely alter the climatic conditions of our earth, the solution of the problem does not seem to require great cosmic changes. The reconstruction of the continental masses at any special geological period is practicable within moderate limits of error, and, indeed, the effect of the ancient continents upon oceanic currents has been traced with a very probable degree of accuracy. Following this train of reasoning, the attempt is made in this volume to combine with the gradual terrestrial development the effect of the glacial period upon the distribution of the animals and plants now living upon the earth, regarding them as the direct descendants of those of a preceding geological period having a milder climate than that of the present epoch.

The first part of 'Island Life' is given to an exposition and discussion of the current theories and facts of the distribution of animals and plants, as affected by their former distribution in geological time during the Secondary and Tertiary periods; this part of the book is, in fact, a résumé of Wallace's former work on geographical distribution. The author finds in the theory of evolution, combined with the preceding theories, the key to a rational explanation of the existing condition of things, and contrasts this with the theory of special creations, which can only state the fact that things as they are have always been so. He goes on to show by some special cases that the changes which have affected animals and plants have little by little restricted their former range, so as either to limit them to single areas far less extensive than those they once occupied, or to restrict them to a number of areas now disconnected, but which can readily be shown to have been connected in previous geological periods. The longer these areas have been separated from the continental masses, the greater is the dissimilarity of their fauna and flora from those of the present continents. He also attempts to prove that the physicists are right in assigning a minimum period of one hundred millions of years as that within which all geological changes may have taken place. He uses the old argument of those who have opposed uniformitarianism that the agencies at work in earlier geological periods could not be measured by their intensity at the present day, so that we do not require the almost countless millions of years usually drawn upon by biologists to bring about from the earliest times the changes which have finally resulted in the actual order of things.

The second part of the volume is devoted to the special discussion of the faunas and floras of oceanic and continental islands; in the former are included such islands as the Bermudas, Azores, St. Helena, Ascension, the Galapagos, Sandwich Islands, and the like; in the latter, the British Islands, Java, Sumatra, Borneo, the West India Islands, Madagascar, and the like. Finally, one of the most interesting chapters in the book is the discussion of the origin of the fauna and flora of such anomalous islands as New Zealand.

An examination of the maps scattered through the volume shows, at a glance, the argument adopted by Wallace to explain the physical status quo in such continental islands as the British Islands, Japan, Java, Borneo, Australia, etc., etc. By the soundings of the surrounding seas we trace the former connection of such islands with continents where still flourish the same or similar characteristic animals and plants. Such, for instance, is the connection of Great Britain with Europe by the 100-fathom line; of Sumatra, Java, and Borneo with the Siamese peninsula; of Japan with the eastern part of China, and of the Mascarene Islands and Madagascar with Africa. The West India Islands Wallace does not include in this volume, having already given an account of their relationship to South America in his 'Geographical Distribution.' Yet they are, perhaps, the most interesting of all the continental islands, not only on account of their biological conditions, but also on account of their potent influence in determining the present course of the great Atlantic equatorial current, and modifying it to form the Gulf Stream of to-day. In his explanation of the causes which have mainly contributed to bring about the existing faunas and floras of oceanic islands, Wallace shows for the Azores, the Bermudas, the Galapagos, the Sandwich Islands, and others how all-important is the effect of winds and of oceanic currents in establishing little by little, upon an apparently isolated island, a portion of the fauna and flora of countries the shores of which are washed by currents in the path of which the oceanic islands lie.

While we have nothing but praise for his mode of presentation of the subject, we cannot but feel that Wallace has given either a most ungenerous or a most defective exposition of the origin of the theories which he has so freely used in this volume. Had it been written by an author out of reach of great libraries, entirely dependent upon magazine articles, and unfamiliar with the history of these theories except as presented in popular English periodicals and addresses, the utter disregard of any except British authorities could not have been greater. To mention only a few of the authorities ignored in this volume, as not having been properly introduced to the British public, neither Heer, nor De Candolle, nor Martius, nor Agassiz, nor Sartorius von Waltershausen, nor Peschel, nor Mühlry, nor Ludwig is even named in connection with his own theories and investigations. We should not have considered it worth while to mention this deficiency in a popular exposition of theories many of which have become common property, were it not that our author constantly goes out of his way to quote the second-hand presentation of these views by English authorities; to such a degree is this carried by Wallace that some of his sentences, with their English want of appreciation of all non-British men of science, would form exquisite bits for an appendix to Lowell's essay "On a Certain Condescension in Foreigners."

*Reminiscences of a Journalist.* By Charles T. Congdon. (Boston: J. R. Osgood & Co. 1880.)—Mr. Congdon comes honestly by his literary tastes and his journalistic calling. He was the son of a printer-editor, and through his maternal grandfather he was related to the poet Bryant. The Quaker

blood in him happily left this inheritance intact. He entered Brown University under President Wayland's presidency, when the discipline was such as we can now scarcely credit. "In 1838 Dr. Wayland stood up, clothed in his completest official terrors, and warned us not to go to the Dorrance Street Theatre, which that night was to restore the drama to Providence. He said that if he heard of any students who were professors of religion attending the play he should report them to their respective churches; those delinquents who were yet unconverted he threatened with suspension." Mr. Congdon's estimate of Wayland, though temperate, and without allusion to the doctor of divinity's attitude towards the slavery agitation, is neither affectionate nor enthusiastic. In 1840, close upon his graduation, apparently, and before he was twenty years old or had left Providence, Mr. Congdon was called to edit in the Dorr interest a "free-suffrage" paper. What he has to say of Dorr and his backers, and of the character of the memorable "rebellion," is one of the more instructive chapters of this unpretending work. Returning to his native town of New Bedford, he studied law and practised it, but finally became editor of the local *Bulletin*. The Quaker and seafaring population of the place, its sights and customs, form a generally pleasing picture in Mr. Congdon's reminiscences. There are some exceptions: he listened to what he calls the great sermons of Dr. Orville Dewey, in a Unitarian church with "a pew for black people," though he never saw any blacks in it. He "went to a public school in which the black boys were seated by themselves, and the white offenders were punished by being obliged to sit with them." A lyceum refused the black population, which was considerable and formed a suburb by itself, the privilege of purchasing tickets to its lecture courses.

In 1854 Mr. Congdon went to Boston to succeed the historian Hildreth in the conduct of the Whig daily paper called the *Atlas*. The politics of Massachusetts were then in the most curious state of flux. The Whig party was moribund but not yet defunct, or perhaps it would be truer to say its carcass was loudly calling for burial. The grave-digger was at hand in the unexpected guise of the Know-Nothing party, whose surprising but short-lived triumph enabled the Republican party to gather itself together and, after the ineffective gubernatorial campaign of 1855, gain uninterrupted control of the State for the next eighteen years. The *Atlas* lost its Whig support without winning a fresh constituency, and was speedily absorbed by Mr. Samuel Bowles, in his ill-advised adventure to become something more than the first journalist in a little village. Mr. Congdon's brief editorial career in Boston at least brought him much profitable experience of men and parties, and his notices of Burlingame, Banks, Bird, Andrew, Sumner, and Wilson, not to speak of the small fry of politicians who assisted at the founding of the Republican party in Massachusetts, are hardly surpassed in interest and value by anything else in the volume. His judgments are in the main remarkably just and true. Henry Wilson's natural honesty, but "incurable propensity to manage and manoeuvre" and to promote his purposes by indirect methods, and his equivocation about his connection with the Know-Nothing lodges, are faithfully set down. The characterization of Sumner is, if somewhat more veiled, almost equally faithful. The letter of his quoted on page 163 to illustrate his adherence to principle illustrates something besides, to those who examine it more closely than Mr. Congdon appears to have done: "I entirely approve the course of Mr. Eliot," wrote Mr. Sumner. "Why should I disapprove it when it is that which I have pursued in the Senate?"

Mr. Greeley's invitation to Mr. Congdon, at the close of 1856, to take a position on the editorial staff of the *Tribune* was the prelude to a quarter of a century's connection with that paper, the fruit of which is known to its daily readers, as well as to those who remember the author's collected '*Tribune* Essays' published in 1869. Mr. Congdon has, of course, his testimony to bear to the memory of his friend and benefactor. Composed for original publication in the journal "founded by Horace Greeley," it could not be expected to be absolutely impartial, and the opinions that Mr. Greeley ought to have been appointed Postmaster-General or elected Senator, and that he might have made a good President, though unwarranted as we conceive, are not surprising. Neither, perhaps, is the denial that Mr. Greeley's death was due to chagrin at his defeat; Mr. Congdon also acquits Webster of a similar fatal malady. But it does seem bold to argue that Mr. Greeley was not eccentric (p. 216), that his frequent giving of the lie to his opponents was, after all, only a sort of journalistic shorthand (p. 222), and that his "literary taste was nearly perfect" (p. 274). Everybody can enjoy reading Mr. Congdon's affectionate tribute to his deceased colleagues on the *Tribune*—Hildreth, Bayard Taylor, Fry, Edmund Quincy as a correspondent. Partly he takes us into his confidence as to his own best performances, but nowhere better than in the following passage does he suggest his peculiar merit of catching the humorous phase of the pretentious humbug of the day:

"Politics, at the time of which I am writing, were in a much simpler state than at present. The great heart of the land was putting categorical questions to its servants; there was but little need of asking them more than whether they were upon the side of Freedom or Slavery. Ah! what a beautiful issue that was! What a chance there was for thrusting important people into a corner! Sometimes when I am thinking to myself how neatly it was possible

to pin the doughface and to throw the trimmer into a perfect stutter of explanations, I burst into a great guffaw, and find nothing in Rabelais, nothing in Swift, more amusing."

Except that Mr. Congdon goes on to say that "the country will have no such question again before it in my time," we should fancy him chafing under his inability to transfix the Machinist as once the Doughface with the shafts of his satire. The issue is not less "beautiful" or less "simple" than its predecessor, but as the founder of the *Tribune* did nothing to precipitate it, so the present management finds it easy to scoff at and oppose it.

We have touched upon a small portion only of these attractive reminiscences. Chapters on the stage, on old customs and old books, are interwoven with the narrative, which hardly tries to be biographical or chronological. That on comic newspapers strikes us as not adequate to the theme, and not quite complete historically; and why no allusion should be made to *Puck*, at least for its pictorial success, is hard to guess. There is wholesome discourse about journalistic Bohemians, with a sad example exhibited in considerable detail; and the sincere advice to aspiring journalists can be praised in almost all respects. Especially pertinent is the injunction to ground one's self in American history, to which Mr. Congdon's own work, it is not too complimentary to say, is a real if humble contribution. The author's style, though perhaps somewhat too conscious, is exceptionally free from the influence of daily newspaper work, and betokens the unchanged lover of books. His kindly and now venerable face adorns the volume.

*The Œdipus Tyrannus of Sophocles.* Translated into English verse by G. Volney Dorsey, M.D. (Piqua, Ohio: Miami Publishing Co. 1880. 8vo, pp. 59.)—The '*Œdipus Tyrannus*' is probably more often read than any other Greek drama. The principal reason for this is, that in its general structure it resembles more nearly than any other a modern tragedy. The plot, though simple compared to any one of Shakspeare's, is yet more complicated than the plots of most Greek tragedies, and the incidents are so arranged as to lead up skilfully yet naturally to the terrible catastrophe. The story is too well known to require repetition. It is so revolting that had Sophocles invented it for the purposes of his tragedy he could not have been acquitted of a violation of the rules of dramatic art. But it was older than Greek literature, and is told by Homer in a manner that shows that previous to the date of the '*Iliad*' and '*Odyssey*' it had long formed part of the mythical folk-lore of the Hellenes. That Sophocles was able to present this horrible story so as not only not to be repulsive, but to excite the profoundest pity and sympathy, is a proof of the highest order of dramatic genius. To give it a fitting English dress would require great poetic talent, and a scholarship capable of appreciating the nicest shades of the most subtle of languages. Now, if there is any one canon of English dramatic composition that is settled in a manner to preclude discussion it is that a tragedy shall be written in blank-verse. There are special reasons why this rule should be observed in translating a Greek tragedy. No other form of English verse so well represents the iambic trimeter of the Greek dramatists. Both forms, while suitable for the highest poetical expression, can be made, without losing their poetic form, to approach indefinitely near to ordinary speech. Aristotle remarked this of the Greek iambics, and in regard to English blank-verse it is manifest to the most superficial observation. Mr. Dorsey, in the present translation, has seen fit to depart from this usage, and to give us a version in rhyme of the most tragical of tragedies. The metre is that of Pope's Homer. His book is without note or preface, so that we have no indication of his reasons for so doing. If his translation was intended to place the English reader as nearly as possible in the position of one who can read the original, it must be regarded as a failure. If it was intended as a *tour de force*, to show how much could be done under self-imposed restrictions which render little possible, it is very respectable. We have compared a considerable number of passages with the original, and though they sometimes depart widely from its meaning, yet in no case should we venture to say that the departure is owing to an imperfect knowledge of Greek. On the other hand, we have nowhere observed any of those felicitous renderings which sometimes meet us in a translation—for example, in Tieck and Schlegel's German version of Shakspeare, where the reader is at a loss to say in which language the thought is most admirably expressed.

The effect of rhyme is particularly bad when, in an animated dialogue, the translator is compelled to make what is said by one of the interlocutors rhyme with what is said by the other, thus (line 629):

"Creon. Also in this I would with you agree.  
Œdipus. Of Laius, then, at what time would it be—  
Creon. Did what? Thy words I do not understand.  
Œdipus. When tell he, smitten by the foe-man's hand?"

A continuous dialogue of this sort sounds as if the speakers were playing at "capping" verses. The reader's attention is unduly called to the rhyme. The next two lines read:

"Creon. O long ago, indeed, the time began.  
Œdipus. This Augur, plied he not his art e'en then?"



Here the imperfect rhyme between "began" and "then" is immediately noticed, and the reader is tempted to call out, "Count that a miss for Edipus."

In his translations of the choruses Mr. Dorsey has made the strophes and antistrophes metrically correspond as in the original. The choruses being professedly lyrical the use of rhyme is in itself unobjectionable, and no very strict adherence to the text can be justly required in a translation thus hampered. Still, there are limits to the departure from it. The beginning of the antistrophe (line 177) is thus given:

"First, thee invoking, O daughter of Jove,  
Pallas immortal! and thee from thy grove,  
O earth-loving Dian! who rapidly whirled  
On thy far-shining throne dost encircle the world," etc.

The Greek of the last clause merely says:

"Who sittest on a glorious encircled throne of the agora."

To seize a quietly-sitting goddess and send her, throne and all, whirling around the world is taking a liberty which can hardly be excused even by the exigencies of rhyme. The strophe commencing line 1336 contains one of those commonplaces which are as old as poetry itself, and the whole force and beauty of which depend upon the way in which they are expressed. It is the old story of the vanity of human happiness. The Greek, translated word for word, reads:

"For who, what man bears more of happiness than so much as to seem, and, having seemed, to fall?"

Mr. Dorsey translates:

"What man his bliss can trace,  
Whither attain,  
When all seeming bright and fair  
Falls into dread despair?"

This gives the general meaning very well, but the condensation and energy which attract attention and impress the memory have vanished. Mr. Dorsey is known in the West as an active business man, and it is certainly worthy of commendation that his tastes have led him to attempt, and his scholarship has enabled him to execute under self-imposed restrictions, so respectable a version of one of the masterpieces of Greek literature.

*The Art of Speech.* By L. T. Townsend, Professor in Boston University, Author of 'Credo,' etc. (New York: D. Appleton & Co. 1880.)—This manual is avowedly a reproduction of the parts of the rhetorics and grammars that have preceded it, and contains little that is original except its dogmatism and mistakes. In the chapter on the Origin of Speech many theories are enumerated, but none that satisfies the author, who finds, however, in Genesis xi. 1-9, "the record of an event which answers all the conditions demanded" to account for the difference between the Aryan, Semitic, and Allophyllic divisions

of language. Treating of the Laws of Speech, of Idiom and Diction, he predicts that "riden" and "runned" will eventually in usage replace "rode" and "ran," that the great scientists will prefer "earth-knowledge" to "geology" (though elsewhere he condemns the use of words derived from different languages), and the common people say "for-dwinden" instead of "dwindled away," "out-lander" for "foreigner," and "again-bite of inwit" for "remorse of conscience." He gives a singular list of expressions to be avoided as "ill becoming any gentleman," such as: "git out," "I'm thar," "kinder good." Among his Grammatical and Historical Rules occurs (p. 104) this lucid one: "Neuter verbs, as well as nouns, if quantity and not manner is expressed, should be qualified by adjectives rather than by adverbs," e.g., to indicate quantity, "it sounds harsh, not harshly." Of course Professor Townsend falls foul of "is building" and "had rather." With the following choice extracts from the chapter on Figures we must take our leave of this remarkable performance: "Profusion is in danger of defeating the legitimate design of figurative representation; it smothers, where the intention is to illuminate. Excess likewise results in nausea." "It is the style, whose only merit is to set everybody to wondering." "Cultivate figure-making *habitudes* . . . by forming the habit of constantly *metamorphosing*."

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